



W.P.No.10880 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10880 of 2023

R.N.Abirami

... Petitioner

Vs.

1. The Principal / Director,
Excel College of Architecture and Planning,
Excel Campus, NH Salem Main Road,
Pallakapalayam,
Sankari West Post – 637 303,
Namakkal District,
Tamil Nadu.

2. The Secretary,
Tamil Nadu Engineering Admissions,
Anna University College,
Chennai – 600 025,
Tamil Nadu.

3. The Commissioner of Technical Education,
Chennai – 600 025,
Tamil Nadu.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents for refund of excess tuition fee of Rs.2,12,500/- received by the first respondent along with interest of Rs.1,11,775/- till 2017 and further 12% interest per annum from 2018 to till the date of realization.

For Petitioner : Mr.N.Balakrishnan

For Respondents : Mr.U.Bharanidharan for R2
Mr.K.M.D.Muhilan
Addl. Government Pleader for R3

ORDER

This Writ Petition has been filed for a direction to the respondents for refund of excess tuition fee of Rs.2,12,500/- received by the first respondent along with interest of Rs.1,11,775/- till 2017 and further 12% interest per annum from 2018 to till the date of realization.

2. Since no adverse order is going to be passed, notice to the first respondent is dispensed with.



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3. The learned counsel appearing for the petitioner would submit that the first respondent has collected excess tuition fee from the petitioner and therefore, the petitioner has made a petition to the Consumer Reddressal Commission for refund of excess college fees. But, the Consumer Commission has dismissed the same in C.C.No.18 of 2017 with liberty to approach the proper forum. Hence, the petitioner has filed the present Writ Petition with the aforesaid prayer.

4. Heard learned counsel appearing on either side and perused the materials placed before this Court.

5. A perusal of the order passed by Consumer Reddressal Commission reveals that the petition has been dismissed as not maintainable before the Consumer Reddressal Commission and the petitioner was permitted to approach the appropriate forum. The order of the Consumer Reddressal Commission is just and reasonable and no fault can be found with the same. If at all the petitioner is aggrieved, the petitioner ought to



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have approach the appropriate authority of the Education Department to ventilate her grievance.

6. In that view of the matter, this Writ Petition is disposed of granting liberty to the petitioner to make a representation to the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the third respondent shall pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of such representation. No costs.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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