



CONT.P(MD)No.762 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

CONT.P(MD)No.762 of 2023

M.Ananda Krishnan

... Petitioner

-VS-

1. Mr.K.Sanjay Murphy,
Secretary,
Department of Higher Education,
Ministry of Education,
New Delhi-110001.

2. D. Karthikeyan,
Secretary,
Department of Higher Education,
Government of Tamil Nadu,
St. George Fort,
Chennai-600009.

3. Prof. Manish R. Joshi,
Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi-110002.

... Respondents

PRAYER : Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for wilfully disobeying the order in W.P(MD)No.19195 of 2021 dated 24.11.2022 of this Court.

For Petitioner : Mr.A.John Vincent
For R1 & R3 : Mr.K.Govindarajan
Deputy Solicitor General



CONT.P(MD)No.762 of 2023

For R2

: Mr.D.Sadiq Raja
Additional Government Pleader

WEB COPY

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This contempt petition is filed alleging wilful disobedience of the orders of this Court dated 24.11.2022 in W.P(MD)No.19195 of 2021.

2. The above writ petition was filed for issuance of a Writ of Mandamus, directing respondents herein to consider the representation of the petitioner dated 20.04.2020, regarding conducting of independent enquiry, withdrawing autonomy granted, stop illegal collection of fee, to refund excess fee to students collected from them and protecting poor students from exploitation within a time frame. This Court by order dated 24.11.2022, having regard to the limited relief sought for by the petitioner to consider and dispose of his representation dated 20.04.2020, directed the respondents herein to consider the representation of the petitioner dated 20.04.2020 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of the order.



CONT.P(MD)No.762 of 2023

3. In the status report filed on behalf of respondent No.2, it is stated that even before the representation of the petitioner, the respondents have obtained information and complaint against the college for collection of excess fee from the students of aided stream. The enquiry conducted by the Regional Joint Director of Collegiate Education, Madurai Region, followed by a special audit shows that under the head "Maintenance Fees" which is not recommended by the Government, several amount has been collected for the academic years 2020-21 as well as 2021-22. After referring to the irregularities found by the respondents, it is stated that the Regional Joint Director of Collegiate Education, Madurai, in his letter dated 27.01.2023 had intimated to the Secretary of the college to refund the excess fee collected from the students. Further, it is also pointed out that the Secretary of the College in his letter dated 20.03.2023, has stated that excess fee collected from the students have been spent for the welfare of the students.

4. After the direction of this Court, it appears that the respondents have submitted the enquiry report as well as the special audit report of the Regional Joint Director of Collegiate Education, Madurai, to the Directorate of Collegiate Education vide letter R.C.No. 50997/G2/2022, dated 18.05.2023 and 30.05.2023 respectively and



CONT.P(MD)No.762 of 2023

the same is under the active consideration of the Government. It is in the said circumstances, this Court finds that there is no wilful disobedience of the orders passed by this Court, wherein, the Court has only directed the respondents to consider and dispose of the petitioner's representation. This Court is satisfied with the reasons stated in the status report about the action taken as well as the communication that was addressed to the Directorate of Collegiate Education regarding the outcome of enquiry report and the special audit report of the Regional Joint Director of Collegiate Education, Madurai, and it is for the Government to take appropriate action. Leaving it open to the petitioner to approach the Government to pursue other remedies on the basis of the report, this Court finds no reason to initiate contempt as against the respondents.

5. Hence, the Contempt Petition is closed.

[S.S.S.R, J.] [D.B.C., J.]
25.09.2023

bala

To

1. Mr.K.Sanjay Murphy,
Secretary,
Department of Higher Education,



CONT.P(MD)No.762 of 2023

Ministry of Education,
New Delhi-110001.

2. D. Karthikeyan,
Secretary,
Department of Higher Education,
Government of Tamil Nadu,
St. George Fort,
Chennai-600009.

3. Prof. Manish R. Joshi,
Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi-110002.



WEB COPY



CONT.P(MD)No.762 of 2023

S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

bala

CONT.P(MD)No.762 of 2023

25.09.2023