



W.P.(MD)No.13208 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.13208 of 2020

Ar.S.Ganesan

: Petitioner

Vs.

1. The Registrar
Anna University,
Chennai-025

2.The Chairman
JK College of Architecture,
Madurai Road,
Begambur Post,
Dindigul-624 002.

: Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 2nd respondent herein to forthwith return the originals of 1) M.Arch Provisional Certificate and 2) Indian Institute of Architecture Certificate to the petitioner in due



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compliance with the Circular of 1st respondent in Lr.No.472/CAI/AU/2019 dated 31.10.2019 with arrears of salary for the months of October and November 2017.

For Petitioner : Mr.V.S.Kumaraguru

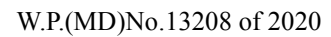
For Respondents : Mr.EVN.Siva - for R1

Mr.M.Saravanakumar - for R2

ORDER

This writ petition has been filed to direct the 2nd respondent herein to forthwith return the originals of 1) M.Arch Provisional Certificate and 2) Indian Institute of Architecture Certificate to the petitioner in due compliance with the Circular of 1st respondent in Lr.No.472/CAI/AU/2019 dated 31.10.2019 with arrears of salary for the months of October and November 2017.

2. The learned counsel for the petitioner would submit that the petitioner is qualified as a Master of Architecture in a renowned institution of Indian Institute of Architecture in the year 2006 and he served as teaching



3. The learned counsel for the petitioner submitted that though the respondent is not in service from the second respondent college, however, the respondent is bound to return the original certificate, is not sustainable one. Hence



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this Court may issue a direction to the second respondent to return the certificate within the time as stipulated by this Court.

4. The learned Standing Counsel appearing for the second respondent submitted that the petitioner has not submitted the certificates. Without submitting the certificates, the petitioner had simply harassed the second respondent college. Accordingly, he prayed for appropriate orders.

5. Heard the learned counsel on either side and perused the materials available on record.

6. The facts in the present case are not in dispute. Admittedly, the second respondent issued appointment in favour of the petitioner on 10.07.2017 and this Court usually presumed that without original certificates, no appoint order will be issued. Hence, this Court has no hesitation and conclusion that the certificate was with the second respondent.



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7. In view of the above, the second respondent is directed to return the original certificate to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No costs.

06.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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M.DHANDAPANI, J.

RM

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