



W.P.(MD) No.2413 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2023

CORAM:

THE HONOURABLE MS.JUSTICE B.PUGALENDHI

W.P.(MD) No.2413 of 2016

S.Arul

... Petitioner

Vs.

1.The Principal Secretary
Commissioner of Technical Education,
Director of Technical Education,
Guindy,
Chennai-600 025.

2.The Director,
Centre for Students Affairs,
Anna University,
Chennai-600 025.

3.The Principal,
Mookambigai College of Engineer,
keeranur,
Pudukkottai District-622 502.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to refund the fees amount to the petitioner within stipulated time.



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For Petitioner : Mr.M/S.Rajeshwari
For R1 : Mr.A.Kannan
Additional Government Pleader
For R2 : Mr.E.V.N.Siva
For R3 : Mr.D.Ramesh Kumar

ORDER

This petitioner has approached this Court for issuance of writ of Mandamus, directing the respondents to refund the fees amount paid by him for his daughter's admission in the third respondent's college.

2. The learned counsel for the petitioner submitted that the petitioner's daughter, namely, Anusiya, got admission in B.E (Civil) in Mookambigai College of Engineering on merits in the counseling conducted by Anna University. The petitioner's daughter was also admitted in the said College for the Academic year 2014-2015 under the Government Quota and paid Rs.50,200/- (Rupees Fifty Thousand and Two Hundred only) as fees under various heads, such as, tuition fees, miscellaneous fees, mess fees, hostel fees, etc., Thereafter, the petitioner's daughter got admission in RVS Horticulture College, Dindigul. Since the petitioner's daughter studied only 40 days in the third



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respondent's college, the petitioner requested to return the original certificates and refund the amount paid by him. The third respondent college has returned the original certificates, however, has not refund the amount. Therefore, the present Writ Petition has been filed

3. The learned counsel appearing for the third respondent submitted that the petitioner is not entitled for refund of any fees as per the guidelines issued by the University Grants Commission. Since the petitioner's daughter has dis-continued the course after a period of 40 days, the petitioner is not entitled for any refund of money.

4. The learned counsel appearing for the Anna University submitted that they have already issued a direction to the third respondent to settle the eligible amount to the petitioner, however, by referring the pendency of this writ petition, the third respondent has not disbursed the amount so far.

5. The learned counsel appearing for the petitioner prayed this Court to direct the third respondent to repay the amount which they have collected as security deposit.



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6. This Court considered the rival submissions and also perused the materials placed on records.

7. Admittedly, this petitioner has stated that the his daughter studied in the third respondent college for a period of 40 days and therefore, he is not eligible for refund of education fees as per the guidelines issued by the University Grant Commission. However, the third respondent shall refund the security deposit and other eligible amounts, which have been collected from the petitioner.

8. The second respondent shall ensure that the third respondent returned the security deposit and other eligible amounts, which have been collected from the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

9. With the above directions, this Writ Petition is disposed of. No Costs.

27.02.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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B.PUGALENDHI,J

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