



W.P.No.22660 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.22660 of 2021

B.Vijayan

... Petitioner

Vs

1. The District Collector,
Vellore District,
Vellore – 632 006.
2. The Director of Technical Education,
Directorate of Technical Education,
Guindy, Chennai – 600 025.
3. The Commissioner Technical Education,
Directorate of Technical Education,
Guindy, Chennai – 600 025.
4. The Joint Director,
Department of Collegiate Education,
Vellore Zone, Vellore – 632 006.
5. The Principal,
Kingston Engineering College,
Christianpet, Katpadi Taluk,
Vellore District.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to issue proper instructions to the fifth respondent to comply with the order No.46136/TAC/2017 dated 12.09.2018 to refund the college fee to the petitioner within a stipulated time.

For Petitioner : Ms.A.Anusuya

For Respondents : Mr.E.Vijay Anand,
Additional Government Pleader (for R1)

Mr.R.Neethiperumal,
Government Advocate (for R2 to R4)

Mr.Sriram Rangarajan,
for M/s.P.Wilson Associates (for R5)

ORDER

This Writ Petition has been filed for directing the second respondent to issue proper instructions to the fifth respondent to comply with the order dated 12.09.2018 issued by the second respondent.

2. According to the petitioner, her daughter got selected to B.Tech (IT) course in the counselling conducted by the Anna University and she was allotted to the fifth respondent/College to pursue her course. Accordingly, the



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petitioner's daughter had joined the course on 21.08.2017 and paid a sum of Rs.70,000/- as fees. However, subsequently she got selected for MBBS course in Perundurai Medical College. Therefore, the petitioner requested to return all the original documents with the refund of fees. Though the fifth respondent returned all original documents, the fifth respondent failed to refund the fees, which was paid by the petitioner. On receipt of the representation, the second respondent, by its communication dated 12.09.2018, directed the fifth respondent to refund the corresponding eligible fee to the candidate immediately. On receipt of the said communication, the fifth respondent, by its communication dated 13.11.2018, categorically stated that the fifth respondent has not received any fee from the petitioner. The communication sent by the College dated 27.12.2017 would not be sufficient to prove the payment of any fee to the fifth respondent/College. The petitioner did not even submit the fees receipt sum of Rs.70,000/-. Therefore, the direction issued by the second respondent cannot be considered by the fifth respondent and the Writ Petition is devoid of merits.



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3. Accordingly, this Writ Petition is dismissed. No costs.

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Index:Yes/No
Neutral Citation/Yes/No
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G.K.ILANTHIRAIYAN, J.

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