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W.P.No.23043 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.23043 of 2024

V.Murugan

... Petitioner

Vs.

1.The Director of Agriculture,
Chepauk,
Chennai.

2.The Registrar,
Tamil Nadu Agricultural University,
Coimbatore.

3.The Vice Chancellor,
Tamil Nadu Agricultural University,
Coimbatore.

4.The Dean,
Tamil Nadu Agricultural University,
Coimbatore.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 4th respondent to refund the amount of Rs.12,00,000/- (Twelve Lakhs only) paid under ABC (Agriculture Business Consortium) to the Tamil Nadu Agricultural



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University by considering the petitioner's representation dated 28.12.2023 within the time frame fixed by this court.

For Petitioner : Mr.C.Prithviraj

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 4th respondent to refund the amount of Rs.12,00,000/- (Twelve Lakhs only) paid under ABC (Agriculture Business Consortium) to the Tamil Nadu Agricultural University by considering the petitioner's representation dated 28.12.2023 within the time frame fixed by this court.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing for the parties, this petition is taken up for final disposal.



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3. The case of the petitioner is that, he is an Ex-service Man and now working as a Branch Manager at Canara Bank, Theni Branch. He is having two children, namely M.Subatra and M.Pugazhandhi. His elder daughter, namely M.Subatra has completed her Higher Secondary Examination from CBSE during the year 2023 and secured 91.2% marks and she was very keen to study and research in the field of Agriculture. Therefore, she wants to join in the well-known institution and subsequently, she has chosen to join at Tamil Nadu Agricultural University, Coimbatore. She has written the Entrance Examination of Common University Entrance Examination vide ICAR (Indian Council of Agricultural Research) during the year 2023 conducted by NTA (National Testing Agency) in order to obtain an admission in B.Sc. (Hons) Agriculture at Tamil Nadu Agricultural University, Coimbatore. The NTA has issued a notification for admission to Banchelor Degree Programs in Agriculture and notified that the online applicaiton to be submitted from 09.02.2023 to 12.03.2023. She has registered and paid necessary fees and chosen the Tamil Nadu Agricultural University, Coimbatore as first preference and she participated in the examination on 25.05.2023 and the result was published on 22.09.2023 and



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subsequently, released the rank list on 22.09.2023 and the 1st counselling of ICSR held from 19.10.2023 to 31.10.2023. Since there was a delay in declaration of result and allotment of seats under ICAR quota, the merits quota was not availed by her before 11.08.2023, thereby she availed Industrial Sponsorship Quota (ISQ) on 11.08.2023 by using one of the existing admission processes of Tamil Nadu Agricultural University. One M/s.Kiruba Sustainable Agriculture Farmers Produces Company Limited at Otanchathram has sponsored her to get an admission for B.Sc. (Hons) Agriculture at Tamil Nadu Agricultural University, Coimbatore vide Application Identity No.202315922540. In order to get an admission under ISQ quota, two Demand Draft for the sum of Rs.12,00,000/- and Rs.25,000/- dated 10.08.2023 was paid towards ABC (Agri Business Consortium) membership fee of Rs.12,00,000/- and Rs.25,000/- as visiting fee of TNAU Committee by debiting from the savings account of the petitioner's son M.Pugazhandhi. Subsequently, in ICAR All India category rank, she secured the rank of 252 and she participated in the counseling on 19.10.2023 and the Indian Council of Agricultural Research has issued a provisional allotment letter dated 19.10.2023 by allotting a seat to her at Tamil Nadu Agricultural University under B.Sc.



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(Hons) Agriculture Degree Program. Subsequently, the 4th respondent by letter dated 07.11.2023 has issued an intimation letter regarding allotment details and admission guidelines and she has been provisionally admitted under ICAR quota on 14.11.2023. On the basis of the All India merit seat under ICAR quota, her admission was migrated from ISQ to ICAR quota and she is perusing the said degree from 14.11.2023. The 1st semester fees of Rs.34,325/- was adjusted by the University which was paid during the ISQ admission. Since she has been migrated from ISQ to ICAR quota, an amount of Rs.12,00,000/- paid under ABC has to be refunded. Thereby, the petitioner made a representation dated 28.12.2023 before the 4th respondent, however, the same was not considered. Therefore, the petitioner has filed the above writ petition before this court for appropriate orders.

4. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 4th respondent to consider the petitioner's representation dated 28.12.2023 and pass appropriate orders, within a time frame that may be fixed by this Court.



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5. Learned Special Government Pleader appearing for the respondents submitted that petitioner's representation 28.12.2023 will be considered and appropriate orders will be passed in terms of the prospectus issued by the Tamil Nadu Agricultural University, as expeditiously as possible.

6. In view of the above submissions, this court, without going into the merits of the case, directs the 4th respondent to consider the petitioner's representation dated 28.12.2023 and pass appropriate orders in terms of the prospectus issued by the Tamil Nadu Agricultural University, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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M.DHANDAPANI, J.

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