



W.P.No.25940 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2024

CORAM

THE HON'BLE MR.JUSTICE M. DHANDAPANI

Writ Petition No.25940 of 2024

S.Vishal

.. Petitioner

Vs.

1. The Anna University
represented by its Registrar
Chennai-600 025.
2. The Director
Centre for student affairs,
Anna University,
Chennai-600 025.
3. The Principal,
Agni College of Technology,
OMR, Thalampur,
Chennai-600130.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus to direct the 3rd respondent to issue Transfer Certificate and also to return Community Certificate Original, Nativity Certificate, income certificate and conduct certificate submitted by petitioner at the time of admission in the 3rd respondent college to the petitioner.

For the Petitioner : Mr. D. Bennington

For the Respondents : Mr. U. Baranidharan,
Standing Counsel for R1 and R2



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ORDER

The petitioner has filed this Writ Petition seeking for a direction to the third respondent to issue Transfer Certificate and also return the other certificates submitted by petitioner at the time of admission in the 3rd respondent college.

2. The brief facts of the case as per the affidavit enclosed to this Writ Petition are that in the month of October 2023, the petitioner has joined B.E Computer Science and Engineering in the third respondent College affiliated to the first respondent and three months thereafter, due to ill-health, he discontinued his studies. The petitioner has made several requests to the third respondent to issue the Transfer Certificate and other certificates submitted by him at the time of admission. However, the third respondent college returned only 10th, 11th and 12th mark statements to the petitioner and failed to return the other documents and did not issue the Transfer Certificate, demanding the petitioner to pay the balance tuition fee. Therefore, the petitioner has preferred this instant Writ Petition.



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3. Learned counsel appearing for the petitioner would submit that due to ill health petitioner could not continue his studies and for past seven months the respondents are retaining the petitioner's certificate without any valid reasons and demanding the petitioner to pay the balance tuition fee, though the petitioner studied only for three months. Hence, the petitioner is seeking for suitable relief.

4. The learned counsel for the respondent denied the contentions raised by the learned counsel for the petitioner and submitted that vide Letter Ref.No.ACT/AU/SA/2024, dated 24.04.2024, the Director, Centre for Student Affairs, Anna University, Chennai, has advised the petitioner to submit no due form for discontinuation after which he did not turned up to the college for proceeding of Transfer Certificate, therefore, the respondents are not responsible for the delay in issuing the certificates to the petitioner. Hence, prayed to dismiss this Writ Petitioner.

5. Heard both sides and perused the records.

6. On a perusal of the records, it reveals that the petitioner did



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not submit no due form for discontinuation course and considering the facts and circumstances of the case, this Court is of the opinion that the petitioner could not have invoked the writ jurisdiction for the relief as sought and he may avail the alternate remedy, as may be permissible under law.

7. In view of the above, this Writ Petition is disposed of and the petitioner is at liberty to workout the remedy in the manner known to law. It is made clear that all the contentions of the respective parties are kept open. No costs.

03.09.2024

Index : Yes/No

Neutral Citation : Yes/No

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To

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Note: Issue order copy on 15.11.2024.



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M.DHANDAPANI, J.

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