



W.P.(MD).No.16608 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16608 of 2024

A.Jenifer Parvin

... Petitioner

Vs

1. The University Grand Commissioner (UGC),
Bahadur Shah Zafar Marg,
New Delhi - 110 002.

2. The Vice Chancellor,
Prist University,
Trichy - Thanjavur Highway Vallam,
Thanjavur - 613 403,
Thanjavur District.

3. The Registrar,
Prist University,
Trichy – Thanjavur Highway Vallam,
Thanjavur - 613 403,
Thanjavur District.

4. The Director Cum Dean,
Prist University,
Madurai Campus,
Madurai - Sivagangai Road,
Arasanoor,
Sivagangai District.



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5. Srinivasan

6. Kalpana

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to issue suitable direction to the respondents 2 to 6 to refund the fees and other expenses paid by the petitioner i.e., considering petitioner representation, dated 07.06.2024 and consequently to take action as against respondents 2 to 6.

For Petitioner : Mr. C.Jeya Prakash

For Respondents : Mr.C.Mayilvahana Rajendiran
for Mr.Tilak Pasumbadiyar (R3)

Ms.M.Kamali (R6)

No Appearance (R2,R4,R5)

ORDER

The present writ petition has been filed seeking a direction to the 1st respondent to issue suitable direction to the respondents 2 to 6 to refund the fees and other expenses paid by the petitioner by considering the petitioner representation, dated 07.06.2024 and to take action as against respondents 2 to 6.



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2.Heard, the learned counsel appearing for the petitioner and the learned counsels appearing for the respondents 2 to 6. Perused the materials on record.

3.The petitioner had joined in the two years course of LLM Regular Programme in PRIST University, Madurai campus during the academic year 2020-21. The said course ought to have been completed within the academic year 2022-23. She has also remitted semester tuition fees for each semester, totally a sum of Rs.1,55,000/- as paid by her. However, the claim of the petitioner is that even after the lapse of two years, the examination was not conducted by the respondent University. In view of the same, she had sent a representation to the respondents 2 to 4 on 07.06.2024. However, the same was not considered. Hence, this writ petition came to be filed.

4.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would



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amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct the respondents to consider the same within a stipulated time.

5.Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby direct the respondents 2 to 6 to consider the representation of the petitioner, dated 07.06.2024 and pass appropriate orders in the matter of refund of fees to the petitioner, within a period of one (1) week, from the date of receipt of a copy of this order. The respondent University is further directed to forthwith return the original academic certificates of the petitioner which are with them.

6.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

18.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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