



WEB COPY



W.P.No.5831 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.04.2025

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.5831 of 2025

M.Ezhilarasi

... Petitioner
Vs.

1. The Commissioner of Technical Education,
Directorate of Technical Education,
Chennai- 600 024.

2. The Principal,
ADJ Dharmambal Polytechnic College,
Nagore Main Road,
Nagapattinam- 611 001.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st Respondent to recover and reimburse sum of Rs.15,13,93,598 payable by the 2nd Respondent from the government aid to the Vallivalam Desikar Polytechnic College in the light of

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proceedings of the 1st Respondent dated 19.09.2024 in proceedings No:8274/H4/2018 as sought vide representation lastly dated 11/1/2025.

For Petitioner : Mr.I.Kowser Nissar

For Respondents : M/s.S.Indhubala,
Additional Government Pleader
for R1
Mr.S.Bhargavan
for R2

ORDER

Writ petition is filed for issuance of a Writ of Mandamus, directing the 1st respondent to recover and reimburse a sum of Rs.15,13,93,598/- payable by the 2nd respondent from the Government aid to the Vallivalam Desikar Polytechnic College, in the light of the proceedings of the 1st respondent dated 19.09.2024, as sought by the representation dated 11.01.2025 of the petitioner.

2. The petitioner college was established in 1958, and presently administered by governing council of the Vallivalam Desikar Polytechnic Educational Society, under the chairmanship of the petitioner. The petitioner college owned and possessed lands in S.No.667, to an extent of 42,429 Sq.ft, with ACC building, measuring a total extent of 11,378 Sq.ft. Whiles, the Government

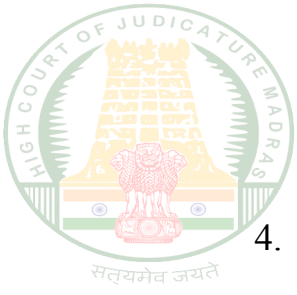


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passed a transfer order, transferring the land and building, belonging to the petitioner college to the 2nd respondent polytechnic college, by and under which the 2nd respondent college was directed to retain 2 ACC buildings measuring an extent of 11,378 Sq.ft along with land measuring 42,429 Sq.ft., subject to the payment of the value of the land and building determined at Rs.15,13,93,598/- to the petitioner. The 1st respondent vide proceedings dated 19.09.2024, directed the 2nd respondent to pay the petitioner college, the said amount of Rs.15,13,93,598/- within 30 days from the date of receipt of a copy of the order. As the 2nd respondent did not comply with the 1st respondents order, the petitioner submitted representations on 04.12.2024 and 11.01.2025, to the 1st respondent to initiate appropriate action against the 2nd respondent for recovery of the amount of Rs.15,13,93,598/- from the Government aid. Despite the petitioner's representations, no action was taken and therefore, the petitioner filed the above writ petition for the aforesaid relief.

3 The learned Additional Government Pleader for the 1st respondent submitted that reasonable time may be granted to the 2nd respondent, to disburse the amount of Rs.15,13,93,598/-.

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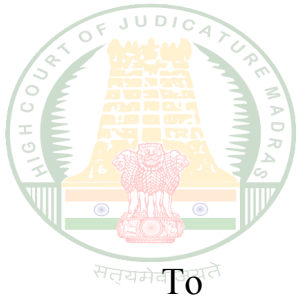
4. Considering the submission of the learned Additional Government Pleader, a direction is issued to the 2nd respondent to pay the said sum of Rs.15,13,93,598/-, to the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order. Failing which, the 1st respondent shall take appropriate action as per law for recovery of the said amount from the 2nd respondent and pay the same to the petitioner.

Writ petition is accordingly allowed. However, there shall be no order as to costs.

21.04.2025

Index: Yes/No
Neutral Citation: Yes/No
Speaking order: Yes/No
dsn

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To
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N.MALA,J.

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