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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2025

CORAM

THE HONOURABLE MRS JUSTICE N. MALA

WP No. 10330 of 2025

Shaik Muzamil Ahmed

Petitioner(s)

Vs

1. The Director Of Technical Education
Sardar Patel Road, Guindy,
Chennai-600 032.

2.The Vice Chancellor
Anna University, Sardar Patel Road,
Guindy, Chennai-600 0032.

3.The Principal Velammal Institute Of Technology
Panchetty, Ponneri-601 204,
Tiruvallur District, Tamilnadu

Respondent(s)

PRAYER:

Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, to direct the third respondent to forthwith issue Transfer Certificate (Admission No.2697, Student ID 112694, ECE 1/A

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Year 2024-2025 Identify Card No.24FCA43) refund the college and hostel fee of Rs.2,43,000/- and also return all petitioner original educational certificate including petitioner Matriculation and Plus Two Mark Sheet and Certificate (both Matriculation and Plus Two) as it is to respondent without making any kind of endorsement.

For Petitioner(s): B. Hari Krishnan

For Respondent(s): M/s.S.Indhubala
Addl.Govt.Pleader, For R1
Mr.U.Baranidharan,
Standing Counsel, For R2
Mr. H.Adaikala Arockiaraj,
For R3

ORDER

This Writ Petition is filed to direct the third respondent to forthwith issue Transfer Certificate (Admission No.2697, Student ID 112694, ECE 1/A Year 2024-2025 Identify Card No.24FCA43) refund the college and hostel fee of Rs.2,43,000/- and also return all the petitioner's original educational certificate including petitioner's Matriculation and Plus Two Mark Sheet and Certificate (both Matriculation and Plus Two) without making any kind of endorsement.

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2.The petitioner pursued his Plus Two course with Visawasai Junior college, Kakupatti, Nellore District and passed out in 2024. The petitioner scored 810 marks in the Plus Two Examination. Thereafter, the petitioner got admission in B.E. (ECE) Course, in Vellammal Institute of Technology, Panchetty, Ponneri, Tiruvallur District, and joined the said course. At the time of joining the third respondent College, the petitioner paid a sum of Rs.2,43,000/- inclusive of hostel fee. The course commenced on 20.09.2024. While so, on 12.11.2024, the petitioner was suspended for indulging in in-disciplinary activities. On 26.02.2025, the petitioner's father wrote a letter to the Principal of the third respondent College, to forgive his son and assured the third respondent that in future his son would not indulge in any in-disciplinary activities. However, there was no response to the aforesaid letter. The petitioner and his father approached the respondents several times, but the Principal of the College stated that the petitioner would not be permitted to continue in the third respondent College and his suspension would not be revoked. When the petitioner sought for return of his original educational certificates and fees paid by him, the Principal of the College threatened the

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petitioner that he would make certain observations in the petitioner's original certificates, which would debar the petitioner from securing admission elsewhere. The petitioner left with no other remedy filed the above writ petition for the aforesaid relief.

3.When the matter was taken up for hearing on 29.04.2025, the learned counsel appearing for the third respondent was directed to get instructions from the third respondent College on taking back the petitioner and revoking his suspension order, albeit, subject to undertaking by the petitioner that he would maintain good conduct in future. Today, when the matter is taken up for hearing, the learned counsel for the third respondent on instructions submitted that the third respondent College was not prepared to take back the petitioner.

4.The suspension order though is not challenged in the writ petition, the same is annexed in the typed set of papers. It is seen from the suspension order that the petitioner was suspended for involving in the in-disciplinary activities in the college campus. From a reading of the suspension order, it is clear that

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action taken by the third respondent College is vindictive and is aimed at annihilating the petitioner's academic pursuits. Though the petitioner's behaviour is not ratified, the fact remains that the petitioner is a bright student having secured 810/1000 marks in the Plus Two Exams. The mistake committed by the petitioner is viewed as a misadventure committed in youth. The petitioner hails from a poor family and his father is employed as a Driver with ISRO, Sriharikota. If the petitioner's fee is not returned, the petitioner's father will not be able to fund the petitioner's eduction thereby ending the petitioner's academic pursuits. As the petitioner hails from a poor family, in the interest of justice and in the interest of the petitioner's future, I am of the view that reasonable portion of the petitioner's fees should be returned to the petitioner.

4.Therefore, a direction is issued to the third respondent College to return the petitioner's original certificates submitted by him at the time of joining the College, without making any kind of endorsement in the original certificates and also to refund 70% of the College Fees paid by the petitioner, within a

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period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court is not endorsing the in-disciplined behaviour of the petitioner, but is only giving the petitioner a chance to reform. This Court is inclined to take a lenient view only because the petitioner belongs to a poor family.

5.Accordingly, this writ petition is allowed. However, there shall be no order as to costs.

30-04-2025

ah
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

To

1.The Director Of Technical Education
Sardar Patel Road, Guindy, Chennai-
600 032

2.The Vice Chancellor

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N.MALA J.
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