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W.P. No.20756 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM:  
THE HON'BLE MRS. JUSTICE N. MALA

W.P.No.20756 of 2023

Muthusamy

Petitioner

vs.

The Dean/Principal  
Shri Venkateshwara Dental Medical College  
Ariyur  
Pudhucherry

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to return the admission fee of Rs.3,47,350/- (Rupees Three Lakhs Forty Seven Thousand Three Hundred and Fifty only) for academic year 2022-2023 by considering the petitioner's representation dated 28.12.2022.

For petitioner

Mr. G. Mohan

For respondent

Mr. Abishek Jenasanen

**ORDER**

This writ petition has been filed seeking a writ of mandamus directing the respondent to return to the petitioner, the admission fee of Rs.3,47,350/- for academic year 2022-2023, by considering the petitioner's representation dated 28.12.2022.

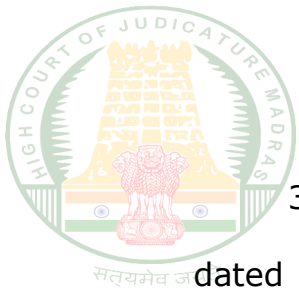
2. The brief facts, as culled out from the affidavit filed in support of this writ petition and which are necessary for deciding this



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The petitioner's daughter M. Keerthana got admission in the respondent college for the academic year 2022-2023 for pursuing B.D.S. course. The petitioner paid a sum of Rs.3,47,350/- towards admission fee. Due to long distance, the petitioner's daughter was finding it difficult to commute to the respondent college and so, the petitioner approached Sri Balaji Vidyapeeth, SBV Campus, Pillayarkuppam, Puducherry 607 402, for admission for his daughter. The petitioner, thereafter, addressed a representation dated 28.12.2022, to the respondent college seeking return of admission fee and the original certificates of his daughter. The respondent college acceded to the petitioner's request in part, *i.e.*, by returning the original certificates, but his request for refund of admission fee of Rs.3,47,350/- was turned down. Notwithstanding the petitioner's repeated representations, the respondent college refused refund of admission fee. Hence, the petitioner filed the writ petition seeking the aforesaid relief.



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3. The respondent college filed a detailed counter affidavit dated 28.11.2024 stating, *inter alia*, that the petitioner's request for refund of admission fee was unreasonable and unjustifiable inasmuch as the petitioner's daughter got admission in a similarly placed college within a week of her representation. It is further averred in the counter affidavit that in the event of refund of admission fee, the respondent college would be put to a huge loss as the seat allotted to the petitioner's daughter would remain vacant for the remaining four years as the respondent college cannot admit any other student in the vacancy caused by the discontinuance of course by the petitioner's daughter. On the basis of these submissions, the respondent college prayed for dismissal of the writ petition.

4. The learned counsel for the petitioner, relying on a communication dated 03.07.2023 of the University Grants Commission on the subject of 'Fee Refund Policy for the year 2023-2024', submitted that the petitioner is entitled to full refund of admission fee.

5. The learned counsel for the respondent, on the other hand, submitted that assuming but without conceding that the petitioner is entitled to refund of admission fee, the petitioner had actually paid only a sum of Rs.2,47,350/-, as evidenced from the voucher enclosed at page 13 of the typed set of papers and therefore, the higher claim made by the petitioner is erroneous and unsustainable.



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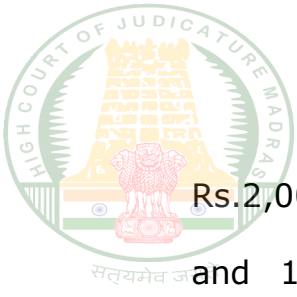
6. Heard both sides and perused the materials available on record.

7. At the outset, it is worth referring to the guidelines issued by the UGC *vide* communication dated 03.07.2023 *qua* refund policy for the year 2023-2024, relied on by the learned counsel for the petitioner. For ready reference, a scanned reproduction of the relevant portion of the said UGC communication is given below:

| Category | Percentage of Refund of fees* | Point of time when notice of withdrawal of admission is received in the HEI                  |
|----------|-------------------------------|----------------------------------------------------------------------------------------------|
| (1)      | 100%                          | 15 days or more <b>before</b> the formally notified last date of admission                   |
| (2)      | 90%                           | Less than 15 days <b>before</b> the formally notified last date of admission                 |
| (3)      | 80%                           | 15 days or less <b>after</b> the formally notified last date of admission                    |
| (4)      | 50%                           | 30 days or less, but more than 15 days <b>after</b> formally notified last date of admission |
| (5)      | 00%                           | More than 30 days <b>after</b> formally notified last date of admission                      |

Concededly, the petitioner's case falls under Category (1) of the portion extracted above. Therefore, the petitioner is entitled to full refund of admission fee paid by him for his daughter's admission in the respondent college.

8. However, as rightly pointed out by the learned counsel for the respondent college, even as per the voucher enclosed at page no.13 of the petitioner's typed set of papers, the petitioner has paid only a sum of Rs.2,47,350/-. In fact, the sum total of the break up figures of



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Rs.2,00,000/-, Rs.30,000/- and Rs.17,350/- found at page nos.10,11 and 12 respectively, also comes to only Rs.2,47,350/- and not Rs.3,47,350/- as claimed by the petitioner. Thus, it is manifest that the petitioner's claim over and above Rs.2,47,350/- is not fortified by any document. Therefore, this Court is inclined to accept the stand taken by the learned counsel for the respondent college that the admission fee paid by the petitioner is only Rs.2,47,350/-.

9. In view of the above discussions, more particularly, the fee refund policy of the UGC for the year 2023-2024, this Court is of the opinion that the petitioner is entitled to a full refund of Rs.2,47,350/-, being admission fee paid by him for his daughter and not Rs.3,47,350/- as claimed by him.

10. Accordingly, the respondent college is directed to refund a sum of Rs.2,47,350/- to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

This writ petition stands disposed of with the above direction.  
Costs made easy.

**20.02.2025**

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**N. MALA, J.**

cad

To

The Dean/Principal  
Shri Venkateshwara Dental Medical College  
Ariyur  
Pudhucherry

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