



W.P.No.23358 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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E.GuruTarzan

... Petitioner

-Vs-

1. The Chairman,
UGC University Grants Commission,
Bahadu Shah Zafar Marg,
New Delhi - 110 002.
2. The Regional Office Head,
University Grants Commission,
(C) 2015 Southwestern Regional Office,
P.K. Block Palace Road, Gandhi Nagar,
Bangalore - 560 009.
3. The Vice Chancellor,
SRM Deemed to be University,
SRM Nagar Kattankulathur,
Kancheepuram Dt - 603 203.
4. The Registrar,
SRM Deemed to be University,
SRM Nagar Kattankulathur,
Kancheepuram Dt - 603 203.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India



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praying for the issuance of a Writ of Mandamus, directing the respondents 3 and 4 to refund the excess tuition fee of Rs.10,00,000/- paid by the petitioner during the course period from 27.02.2014 to 04.10.2018 with applicable bank interest to the petitioner.

For Petitioner : Mr.S.Sathish Rajan
For R1 and R2 : Mr.B.Rabu Manohar
Senior Panel Counsel
For R3 and R4 : Mrs.B.Saraswathi

ORDER

This writ petition has been filed for direction directing the respondents 3 and 4 to refund the excess tuition fee of Rs.10,00,000/- paid by the petitioner during the course period from 27.02.2014 to 04.10.2018 with applicable bank interest to the petitioner.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner joined the fourth respondent College in five years B.Arch course during the academic year 2014 and completed the said course in the year 2019. After completion of the course, the petitioner submitted a representation seeking refund of excess fees of Rs.10 Lakhs paid by him to the fourth respondent. The petitioner's father filed a suit in



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O.S.No.132 of 2021, on the file of the Additional Sub Court, Chengalpattu, for recovery of excess fee. The said suit was dismissed by Judgment and decree dated 11.04.2023, on the ground that the suit is badly hit by non-joinder of necessary party and the plaintiff, being the father of the petitioner herein had no locus to claim excess fee from the fourth respondent. It was further held that after having been paid the excess fee with the knowledge of the actual fee, he is deemed to have accepted the excess fee and having remitted the same, he is estopped from claiming excess fee. Thereafter, the petitioner filed this writ petition seeking refund of excess fee.

4. Admittedly, the petitioner was admitted to the five years B.Arch course under the management quota after completing his Higher Secondary (+2) education and qualifying in the National Aptitude Test in Architecture (NATA) examination. As per the fee structure of the fourth respondent College, candidates who joined under merit quota are required to pay tuition fee at Rs.2 Lakhs per year and those who joined in the management quota are liable to pay tuition fee at Rs.4 Lakhs per year. Since the petitioner was admitted under the management quota, he was



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liable to pay Rs.4 Lakhs per year as tuition fee. Accordingly, the petitioner had paid a sum of Rs.20 Lakhs for the entire five years course. After completion of the course and obtaining the degree, the petitioner, through his father filed a suit for recovery of excess fee.

5. Though the Trial Court dismissed the suit on the ground of non-joinder of necessary party and also on merits, holding that after having been paid the admitted fee of Rs.4 Lakhs per year, the petitioner is estopped from claiming refund of the fee paid by him as excess, the petitioner, after dismissal of the suit, submitted another representation dated 22.05.2023 to the respondents and thereafter, filed this writ petition. It shows that the petitioner submitted another representation after dismissal of the suit, only to create a cause of action to file this writ petition. Moreover, having completed the course by paying the fee fixed by the fourth respondent under management quota, the petitioner cannot now claim the amount paid by him as excess.

6. In view of the above, the claim made by the petitioner cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.



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Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J,

mn

To

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