



W.P.No.25184 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.25184 of 2025

Kotharookala Jeevan Sai

... Petitioner

Vs.

1.The Director of Technical Education
Sardar Patel Road, Guindy,
Chennai-600032.

2.The Vice Chancellor
Anna University, Sardar Patel Road,
Guindy, Chennai-600032.

3.The Principal
Velammal Institute of Technology
Panchetty, Ponneri-601204,
Tiruvallur District, Tamilnadu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the third respondent to forthwith issue Transfer Certificate (Admission No.2585, Student ID 107819, AI-DS 1/A Year 2024-2025 Registration No.1133242443054) refund the college and hostel fee of Rs.1,95,000/- 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

: Mr.R.Hari



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For R1 : Mr.S.Arumugham
Government Advocate

For R2 : Mr.U.Bharanidharan
Standing Counsel

For R3 : Mr.H.Adaikala Arockiaraj

ORDER

The instant writ petition has been filed with a prayer for issuing a Writ of Mandamus, to direct the third respondent to forthwith issue Transfer Certificate (Admission No.2585, Student ID 107819, AI-DS 1/A Year 2024-2025 Registration No.1133242443054) refund the college and hostel fee of Rs.1,95,000/- and also return all petitioner's original educational certificates including petitioner's Matriculation and Plus Two Mark Sheet and Certificate (both Matriculation and Plus Two) as it is, to the respondent without making any kind of endorsement.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The learned counsel for the petitioner would submit that the petitioner is a first-year student of the 3rd Respondent-College. According to



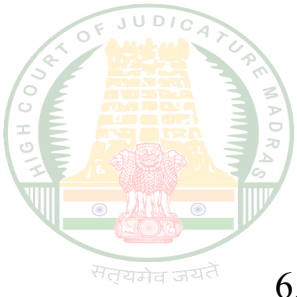
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the petitioner, the 3rd respondent has suspended the petitioner on account of certain delinquency in the college, vide order dated 21.04.2025. Now that, the petitioner though has challenged the impugned suspension order, now what he want is only the Transfer Certificate and refund of the college fees.

4. The learned counsel appearing for the 3rd respondent would vehemently contend that the petitioner has committed a serious misconduct in the college. Therefore, the 3rd respondent has initiated Disciplinary Proceedings against the petitioner and suspended him. It is the further submission of the 3rd respondent that the petitioner had attended classes for two months. Therefore, AICTE guidelines on fee refund, he is not eligible to get any refund, as he attended the college for more than two months.

5. At this juncture, the learned counsel appearing for the petitioner invite the attention of this Court about the order passed in W.P.No.10330 of 2025, dated 30.04.2025, wherein a similarly placed person, who was also suspended on the same delinquency, was granted an order by this Court for refund of 70% of the college fees paid by him and also for return of the original certificates.



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6. However, the learned counsel for the 3rd respondent would submit that the said order has been passed upon a peculiar circumstances, where the petitioner's father was only a Driver in ISRO, Sriharikota. Therefore, when any order passed upon a particular factual position cannot be applied to the petitioner as the factual position relied by the petitioner is all together different. However, while looking at the representation of the petitioner, it appears that the petitioner's father was also a temporary worker at Gas Station and he has pleaded that if the amount is not refunded, then it would seriously prejudice the petitioner's further education and also will cause unsurmountable financial burden.

7. In the case in hand, there is no serious dispute about the receipt of Rs.1,95,000/- and it is also pertinent to mention here that there is no objection from the respondents to return the original certificates. However, their only objection is to refund the fees as it is in violation of the AICTE Rules.

8. Though this Court could not find any irrationality in the submission made by the learned counsel for the respondent, in view of the order passed



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by this Court in W.P.No.10330 of 2025 dated 30.04.2025 and considering the financial condition of the petitioner's family, this Court deems it appropriate to direct the 3rd respondent to refund a sum of Rs.97,500/- (50% of the amount paid by the petitioner) and the 3rd respondent is further directed to return the petitioner's original certificates submitted by him, without making any kind of adverse endorsement in the original certificates, within a period of four weeks from the date of receipt of 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.

9. Accordingly, the Writ Petition is disposed of. No costs.

14.08.2025

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

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To

1.The Director of Technical Education

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2.The Vice Chancellor

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C.KUMARAPPAN, J.

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