



WEB COPY

W.A.No.2376 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-07-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**WA No. 2376 of 2025 and
CMP No.18093 of 2025**

1. The Principal

Velammal Institute of Technology,
Panchetty, Ponneri - 204,
Thiruvallur District, Tamil Nadu.

Appellant(s)

Vs

1. Shaik Muzamil Ahmed

S/o. S.K. Nazir, B-104, KRP Colony,
Pulicat Nagar, Sullurpettai -121, Thirupathi
District, Andra Pradesh.

2.The Director Of Technical Education

Sardar Patel Road, Guindy, Chennai - 032.

3.The Vice Chancellor

Anna University, Sardar Patel Road, Guindy,
Chennai - 032.

Respondent(s)

PRAYER Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed by this court dated 30.04.2024 in WP No.10330 of 2025, as far the refund of 70 percentage of fees is concerned.



WEB COPY

W.A.No.2376 of 2



For Petitioner(s) : Mr.H.Adaikala Arockiaraj

For Respondent(s): Mr.B. Harikrishnan for R1
Mr.D.Ravichandran, SPG for R2

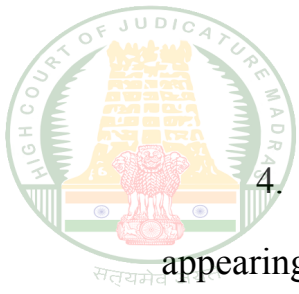
ORDER

(Order of the Court was made by J.Nisha Banu J.)

This writ appeal has been file to set aside the order passed by the learned Single Judge in W.P.No.10330 of 2025, dated 30.04.2025 in so far as the refund of 70 percentage of fees is concerned.

2. The first respondent herein filed the above said writ petition seeking direction to the appellant to issue Transfer Certificate, refund the college and hostel fee of Rs.2,43,000/- and also return all the original educational certificates of the writ petitioner, including his plus two mark sheet and certificate (both Matriculation and plus two), without making any kind of endorsement.

3. The learned Single Judge, vide order dated 30.04.2025, allowed the writ petition, directing the appellant to return all original certificates of the writ petitioner, without making any kind of endorsement in the original certificates. The appellant was also directed to refund 70% of the college fees paid by the first respondent, within a period of two weeks. Aggrieved by the order, as to the refund of fees, the appellant has filed the present appeal.



4. Heard the learned counsel for the appellant and the learned counsel appearing for the first respondent and the learned Special Government Pleader appearing for the second respondent.

5. A perusal of the records disclose the facts that the first respondent/ writ petitioner was admitted in the appellant College in B.E. Electronics and Communication Engineering in the academic year 2024-2025 and he was also admitted in the college hostel, as he is the resident of Andhra Pradesh State. On 12.11.2024, the first respondent sought permission from the Hostel Warden to go out for outing, however, he went to a bar and consumed liquor and also, after returning to the hostel, he created nuisance and embarrassment to other inmates, which was noticed by the hostel warden. Hence, after conducting enquiry by the Disciplinary Committee, he was suspended from the college from 12.11.2024. Hence, the first respondent filed the writ petition and it was allowed as stated supra.

6. The learned counsel for the appellant submitted that as per the order of the learned Single Judge, already, all the original certificates were returned to the writ petitioner. However, as per the General Rules of the appellant college, fee will not be refunded. In this regard, he relied on clause 8 and 9 of General Rules of college and also clause 21 of Rules and Regulations for Hostel Residents, which reads as follows.



Clause 8 and 9 of General Rules

8. Smoking/chewing bubble gum/consuming drugs/tobacco products/alcohol are strictly prohibited.

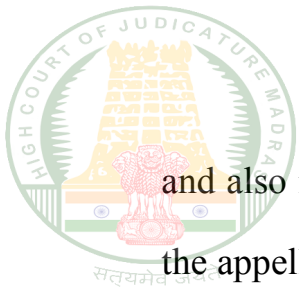
9. Smoking/consuming drugs, tobacco products and alcohol is found, the student will be dismissed immediately without any fee refund.

Clause 21 of Rules and Regulations for hostel residents:

21. If any student found absent three days continuously will be dealt seriously, if it continues parents will called for. Students who do not pay hostel dues or found guilty of misbehavior or bad conduct or consumption of alcohol, tobacco, gambling, ragging and playing cards, etc., will be expelled from the hostel immediately, without any fee refund.

He also submitted that, the guideline of AICTE and UGC on fee refund in disciplinary action stipulates that, if a student's admission is cancelled due to disciplinary reasons, no fee refund is granted. Hence, the findings of the writ court, in so far as the refund of 70% fees is concerned, has to be interfered with.

7. The learned Single Judge in her findings has not approved the conduct of the writ petitioner. However, taking into consideration the fact that the writ petitioner hails from economically weaker section and he is a meritorious student, having secured 810/1000 marks in the Higher Secondary Examination



and also in consideration of his future prospects, the learned Judge has directed the appellant to refund 70% of fees paid by him. Therefore, this court finds no reason to interfere with the findings of the learned Single Judge and the present writ appeal is liable to be dismissed.

8. Accordingly, this writ appeal is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.J)

(M.J.R.J.)

30.07.2025

Index: Yes/No

Internet: Yes

Neutral citations: Yes/No

MST

To

1. Shaik Muzamil Ahmed
S/o. S.K. Nazir, B-104, KRP Colony,
Pulicat Nagar, Sullurpettai -121, Thirupathi
District, Andra Pradesh.

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

3.The Vice Chancellor
Anna University, Sardar Patel Road, Guindy,
Chennai - 032.



WEB COPY

W.A.No.2376 of 2



J.NISHA BANU, J.
AND
M.JOTHIRAMAN, J.

MST

W.A.No.2376 of 2025

30.07.2025