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W.P.No.48052 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 48052 of 2025
AND
WMP NO. 53688 OF 2025**

S.Keerthana,
Female/Age-21 Years
D/o.Sakthivel,
Residing at No.1/33, Perumal Kovil Street,
Kangiyanur,
Villupuram District-605 302. ... Petitioner

Vs.

1. The Dean (Agriculture) and Chairman (Admissions),
Tamil Nadu Agricultural University,
Agriculture College And Research Institute,
Coimbatore-641 003.

2.The Principal,
Agriculture Engineering College And Research Institute,
Kumulur,
Trichy District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to his order dated 22.11.2025 to quash the same and consequently direct the first respondent to return the Petitioner's Original Certificate namely 10th Mark sheet, 12th Mark sheet and Transfer Certificate to the petitioner forthwith.

For Petitioner: Mr. A.M. Esakkiappan

For Respondents: Mr. S.Manikandan, for R1 & R2



ORDER

Writ Petition is filed to issue Writ of Certiorarified Mandamus, to call for the records of the first respondent pertaining to his order dated 22.11.2025 and quash the same and to direct the first respondent to return the petitioner's original certificates, namely the 10th mark sheet, 12th mark sheet, Transfer Certificate to the petitioner.

2. Upon hearing the Learned Counsel for the petitioner and perusing the affidavit filed in support of the writ petition, the grievance of the petitioner is that she participated in the Undergraduate admission for the academic year 2022-2023 for B.Tech (Agricultural Engineering) and was allotted a seat in the second respondent college. After joining the college and paying the admission fees, tuition fees, hostel deposit etc., in the month of February 2023, subsequently the petitioner discontinued the course on account of her health issues. Thereafter, she decided to join B.Sc (Psychology) in some other institution. The respondents are not returning the original certificates and therefore, when she approached them, she was asked to pay a sum of Rs.2,00,000/-, being the discontinuation fees.



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3. Aggrieved by the same, the present writ petition is filed.

4. The issue has been settled by this Court in several judgments, including the judgment made in *S.Arshiya Fathima vs. The Principal Secretary to Government and others*¹. From the said judgment, it is clear that the action of the respondents in demanding the said bond amount has been upheld. However, it has been held that the respondents cannot withhold the certificates for the purpose of the same and even if the candidate does not pay the same, separate recovery proceedings can be initiated.

5. The relevant paragraph Nos.20 to 22 is extracted hereunder for ready reference:

“20. I hold that the respondents have no right to hold on to the certificates of the petitioner. They are not moneylenders to hold on to the certificates. Recognising the value of the certificates, more than the petitioner, they should have come forward to return the certificates. They cannot hold them as a lien for recovery of the discontinuation fees. The law provides lawful methods to recover a debt.

1. MANU/TN/2623/2023



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21. In view of the above reasons, a direction is given to the third respondent, to return back the original certificates to the petitioner, within a period of ten working days from the date of receipt of a copy of this order. The petitioner or any authorised person may claim the certificates, on giving undertaking and acknowledgement to the third respondent.

22. The third respondent is at liberty to file appropriate proceedings to recover the discontinuation fees as per law. They cannot indulge in third hand methods. The certificates must be released first and then the process of recovery of discontinuation fees can be initiated.”

6. Since, in this case also, difficulty is pleaded on behalf of the petitioner.

I am of the view that this writ petition can also be allowed on the same terms.

Accordingly, the following order is passed:

(a) The respondent shall forthwith release the original certificates to the petitioner and the petitioner can receive the same and submit it to the College in which she is undergoing the education;



(b) Liberty is given to the respondent to take appropriate proceedings for the recovery of the said amount of Rs.2,00,000/-, in the manner known to law;

(c) The authority shall act on the web copy of this order without waiting for the certified copy.

(d) There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

18-12-2025

Neutral Citation:No.
bsm

To

1.The Dean (agriculture)and Chairman(admissions)
Tamil Nadu Agricultural University,
Agriculture College And Research
Institute, Coimbatore-641 003

2.The Principal,
Agriculture Engineering College And Research Institute,
Kumalur, Trichy District.



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D.BHARATHA CHAKRAVARTHY, J.
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