



WEB COPY

WP No. 8388 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 8388 of 2026

D.Abinaya

..Petitioner

Vs

1. The Principal
Srinivasan College of Nursing,
NH-45 Trichy Chennai high road, Siruvachur,
Perambalur 621 117
2. The Chancellor
Dhanalakshmi Srinivasan Univeristy, Thuraiyur
road, Perambalur 621 212
3. The Secretary
University grants commission (UGC),
Bahadur Shah Zafar Marg, New Delhi 110 002
4. The Registrar
The Tamil Nadu DR. M.G.R. Medical
university, 69, Anna salai, Guindy
Chennai 600 032

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 13.02.2026 passed by the 1st respondent college and quash the same and consequently direct the 4th respondent to conduct a comprehensive, fair and time bound enquiry after affording opportunity of hearing to both the petitioner and 1st respondent , to verify the seizure , custody and status of the petitioner Micromax and Samsung S- Series



mobile phones and submit a reasoned enquiry report within a time period fixed by this Court and thereafter direct respondents 1 and 2 to forthwith return the petitioners seized Micromax and Samsung S- Series mobile phones or in the alternative if the said mobile phones are not traceable or incapable of being returned direct respondents 1 and 2 to pay a sum of Rs. 35,000/- (Rupees Thirty five thousand only) together with interest at the rate of 12% per annum from the date of seizure till the date of payment towards illegal retention and mental agony caused to the petitioner.

For Petitioner : Mr.Gowthamkumar.V

For Respondents: Mr.Abishek Jenansenan
for R1 & R2
Ms.V. Sudha for R3
Mr.M. Sivavarthanan
for R4

ORDER

This Writ Petition has been filed challenging the impugned order dated 13.02.2026 passed by the first respondent and for a consequential direction to the fourth respondent University to conduct an enquiry and to direct return of the petitioner's mobile phones or grant compensation.

2. The case of the petitioner, in brief, is that she pursued B.Sc. Nursing in the first respondent College during the period from 2014 to 2018 and was residing in the hostel. According to the petitioner, during the years 2016 and 2017, two mobile phones belonging to her were seized by the hostel authorities of the said College. It is further stated that though she completed the course in



the year 2018, the said mobile phones were not returned. It is her further case that despite repeated representations, no action was taken, and therefore she submitted representations in the year 2025, which ultimately led to filing of W.P. No.36025 of 2025. This Court, by order dated 19.09.2025, directed the respondents to consider the petitioner's representation and pass appropriate orders. Since no orders were passed, the petitioner filed contempt petition, pursuant to which, the impugned order dated 13.02.2026 came to be passed, stating that the mobile phones were not available and that the present management was not responsible. Challenging the order dated 13.02.2026 issued by the 1st respondent, the present writ petition is filed.

3. Learned counsel for the petitioner submitted that the petitioner was a student of the first respondent College and that her mobile phones viz., Micro Max and Samsung were seized while she was in the hostel. Even after completion of the course in the year 2018, the said mobile phones were not returned. He vehemently contended that the action of the respondents in retaining the mobile phones is wholly arbitrary and illegal. Learned counsel further submitted that only after initiation of contempt proceedings, the impugned order has been passed, which is unsustainable in law, and therefore appropriate directions may be issued.

4. Per contra, learned counsel appearing for the first respondent though filed vakalath, today, on instructions, he submitted that the allegations made by the petitioner involve disputed questions of fact. It is the specific stand of the



first respondent that no mobile phone was seized from the petitioner. He further submitted that the alleged incident pertains to the years 2016 and 2017, whereas earlier writ petition was filed only in the year 2025, after an inordinate delay of about seven years. In view of the above, he prayed for dismissal of this writ petition on the ground of delay as well as disputed questions of fact involved.

5. This Court has carefully considered the submissions made by learned counsel on either side and perused the materials available on record.

6. Admittedly, the petitioner pursued her course in the first respondent College between 2014 and 2018. On a bare perusal of records, it reveals that the alleged seizure of mobile phones were taken place during the years 2016 and 2017. However, it is the strong contention of the petitioner that though she completed her course in the year 2018, her mobile phones were not returned by the first respondent College. However, no legal action was initiated by the petitioner immediately thereafter. Only after a lapse of nearly seven years from the date of completion of the course, earlier Writ Petition viz., 36025 of 2025 was filed by the petitioner.

7. The primary relief sought by the petitioner is for return of the mobile phones allegedly seized by the first respondent College. However, the seizure of mobile phones pertaining to the petitioner was seriously disputed by the respondents. In the absence of any documentary proof or material to establish that the mobile phones were seized and retained by the respondents, this Court,



cannot adjudicate the disputed questions of fact under Article 226 of the Constitution of India. Further, it is to be noted that the petition seems to be frivolous in nature and more so, there is an inordinate delay in approaching this Court by way of earlier writ petition. The petitioner has not satisfactorily explained the delay of several years in raising the grievance. It is well settled that a writ petition filed after such a long lapse of time, without proper explanation, is liable to be dismissed on the ground of delay and laches.

8. In view of the above, this Court is of the considered opinion that the writ petition is devoid of merits and is liable to be dismissed both on the ground of delay and laches as well as on the ground that the issues raised involve disputed questions of fact which cannot be adjudicated under writ jurisdiction.

9. For the aforesaid reasons, the Writ Petition stands dismissed. No costs.

17-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI-2



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M.DHANDAPANI, J.

VSI-2

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