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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.15524 of 2025

E.Henin Shruti

.. Petitioner

- Vs. -

1. The State of Tamil Nadu,
Rep. by, its Principal Secretary,
Higher Education Department,
Secretariat,
Chennai.
2. Directorate of Collegiate Education,
577, Anna Salai,
Saidapet, Chennai.
3. The Registrar,
PRIST University,
Vallam,
Thanjavur District.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the Respondents 1 and 2 herein to initiate appropriate action against the 3rd Respondent and ensure the return of the petitioner's Original Certificates submitted at the time of admission to the 3rd Respondent College and refund the Capitation Fees of Rs.2,00,000/-



paid by her at the time of admission with the time limit as fixed by this Court.

For Petitioner : Ms.V.Muthulakshmi

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate
for R1 & R2

: Mr.O.S.Thilak Pasumbadiyar
for R3

ORDER

The petitioner is before this Court seeking for a direction to the third respondent to return the petitioner's original certificate submitted at the time of admission to B.Sc., Agri.(Hons.), the 4 year course for the academic year 2020-2024.

2. The petitioner was admitted to the said course in the third respondent college and at the time of admission, the petitioner had submitted original documents ie, Transfer Certificate and other certificates, the petitioner paid the first semester tuition fees of Rs.1,01,000/- in five instalments and examination fee and tuition fee of Rs.1,16,000/- for second semester and completed the course. However, the petitioner did not pay the tuition fees for third to sixth semester. Therefore, the third respondent has withheld the return of original documents to the petitioner.



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3. Heard the learned counsel appearing on either side.

4. The coordinate bench of this Court, in *R.Pradeep Raj v. Commissioner, the Directorate of Technical Education and others*, reported in 2019 SCC Online Mad 9385, has held that it is well settled that on the ground of non-payment of fees, the original certificates of the student cannot be retain. The right of lien cannot be exercised in such cases. This is the because educational certificates are not marketable commodities.

5. Similarly another coordinate bench of this Court, in W.P.(MD)No.1619 of 2026 disposed of on 26.04.2023, has held that *the certificates are the product of hard labour of every student, which can be classified as valuable property. Article 300(A) of Constitution of India provides that there cannot be any dispossession of property, except under authority of law. This would indicate, not only movable but also immovable property. It should only be by due process approved and recognised by law. The certificates which are the product of study and had been issued consequent to merit exhibited by a student are the properties of that student. Nobody else can claim a right over the certificates. Therefore, the law provides methods for recovery of a money claim, that the*



certificates of a student can be retained by College.

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6. In light of the aforesaid pronouncements, the original documents submitted by the petitioner cannot be withheld by the respondent No.3 on account of the alleged non-payment of tuition fee for the 3rd to 6th semester.

7. The Writ Petition is disposed of directing the 3rd respondent to return all the original documents produced by the petitioner at the time of admission of B.Sc., Agri. (Hons.), Course including course completion certificate, if completed by the petitioner.

8. The said exercises shall be completed within a period of four(4) weeks from the date of receipt of a copy of this order. Liberty is reserved to the third respondent to initiate proceedings for recovery of the alleged non-payment of tuition fees in the manner known to law. No Costs.

07.04.2026

Index :Yes/No
NCC :Yes/No
PJL



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HEMANT CHANDANGOUDAR, J.

PJL

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