IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF OCTOBER TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 34167 OF 2026

Between:

Mohd. Shafi, S/o. Mohd. Sami, aged about 23 years, Occ . Student, R/o. H. No. 17-1-101/13/2, RC Nagar, Edi Bazar, Hyderabad 500023.

...PETITIONER

AND

1. State of Telangana, represented by Principal Secretary, Higher Education Department, Dr. B.R.Ambedkar Secretariat Saifabad, Hyderabad 500001.
2. The Registrar, Jawaharlal Nehru Technological University, Kukatpally, Hyderabad 500085.
3. The Principal, Mahaveer Institute of Science and Technology, Bandlaguda Khalsa, Chandrayangutta, Hyderabad 500005.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or Order/s more particular one in the nature of Writ Mandamus, declaring the action of Respondent No. 3 of withholding original educational certificates and transfer certificate of the petitioner as being illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 21 and 51A of the Constitution of India and consequently direct Respondent No. 3 to Return the original educational certificates of the petitioner including Transfer Certificate

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue Interim Direction to Respondent No. 3 to forthwith return the original educational certificates and the transfer certificate of the petitioner pending disposal of this writ petition

Counsel for the Petitioner: SRI MOHD. LATEEF KHAN

Counsel for the Respondent No.1: SRI K. SHARATH, AGP FOR HIGHER EDUCATION

Counsel for the Respondent No. 2: SRI PERI PRABHAKAR, SC FOR JNTU

Counsel for the Respondent No. 3 : ----

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

WRIT PETITION No.34167 of 2026

(C.N.R.No.HBHC010703392026)

DATED 27TH OCTOBER, 2026

Between:

Mohd. Shafi ... Petitioner

AND

The State of Telangana,
represented by Principal Secretary,
Higher Education Department,
Dr.B.R.Ambedkar, Secretariat,
Saifabad, Hyderabad 500001and others. ...Respondents

:ORDER:

This Writ Petition is filed seeking the following relief:

> *"to issue a Writ or Order/s more particular one in the nature of Writ Mandamus declaring the action of respondent No.3 of withholding original educational certificates and transfer certificate of the petitioner as being illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 21 and 51A of the Constitution of India and consequently direct respondent No.3 to Return the original educational certificates of the petitioner including Transfer Certificate and be pleased to pass..."*

2. Heard Mr.Mohd.Lateef Khan, learned counsel for the petitioner, Mr. K.Sharath, learned Assistant Government Pleader for Higher Education, appearing for respondent No.1 and Mr.Peri Prabhakar, learned Standing Counsel for JNTU, appearing for

respondent No.2. Inspite of service of notice, none entered appearance on behalf of respondent No.3. Perused the record.

3. Case of the petitioner is that, at the time of admission into the B.Tech (IT) course in respondent No.3-college, he submitted all his original certificates, including the Secondary School Certificate (SSC) Marks Memo, Intermediate Memorandum of Marks, Provisional Certificate, Consolidated Marks Memo, Caste Certificate, Income Certificate and Transfer Certificate. Further case of the petitioner is that upon successfully completing the course in 2024, he sought to pursue higher education and secure a job to support his family. In this regard, he addressed a letter to respondent No.3, requesting the issuance of Xerox copies of the original documents. When he approached respondent No.3 for the return of his original certificates, respondent No.3 insisted upon payment of the entire fee, although the petitioner is eligible for fee reimbursement. Hence, the present writ petition.

4. Learned counsel for the petitioner submits that the petitioner requires his original certificates to pursue higher education and secure employment to meet his family's financial needs in view of his father's surgery. He further submits that though the petitioner

has successfully completed his B.Tech. course in March, 2024, respondent No.3 has been withholding his original certificates on the ground that reimbursement of the tuition fee by the Government is pending, which is illegal, arbitrary, and unsustainable. Hence, he seeks a direction to respondent No.3 to forthwith return all the original certificates of the petitioner.

5. It is not in dispute that at the time of admission, the petitioner submitted his original certificates referred to above and the petitioner has successfully completed his B.Tech. course and the original certificates referred to above were presently in the custody of respondent No.3. The said certificates, being personal and academic credentials, are undoubtedly the property of the petitioner. In such circumstances, respondent No.3 has no authority whatsoever to retain the said certificates and the retention of the petitioner's original certificates is wholly unjustified and cannot be sustained. Even assuming that the college has any monetary claim against the petitioner, withholding the original certificates of the petitioner cannot be adopted as a mode of enforcing such claim. The proper remedy available to the college, if any, is to pursue appropriate proceedings in accordance with law for recovery of its dues. However, the college cannot retain the petitioner's original

certificates as security for the recovery of any amount claimed by it. Such retention is unlawful and cannot be justified on the ground of any outstanding liability. Therefore, this Court is of the considered opinion that the petitioner is entitled to the immediate return of his original certificates.

6. For the foregoing discussion, this Writ Petition is allowed, directing the petitioner to submit a representation to respondent No.3 seeking return of the original certificates referred to above, within three (03) days from the date of receipt of a copy of this order. Upon receipt of such representation, respondent No.3 shall consider the same and return the aforesaid original certificates to the petitioner, within a period of one (01) week thereafter. No costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/- C.DEEPIKA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Higher Education Department, Dr. B.R.Ambedkar Secretariat Saifabad, State of Telangana, Hyderabad 500001.
2. The Registrar, Jawaharlal Nehru Technological University, Kukatpally, Hyderabad 500085.
3. The Principal, Mahaveer Institute of Science and Technology, Bandlaguda Khalsa, Chandrayangutta, Hyderabad 500005.

4. One CC to SRI MOHD. LATEEF KHAN, Advocate [OPUC]
5. One CC to SRI PERI PRABHAKAR, SC FOR JNTU, Advocate [OPUC]
6. Two CCs to GP FOR HIGHER EDUCATION, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

PVL

PB

HIGH COURT

CC-TODAY

DATED: 27/10/2026

ORDER

WP.No.34167 of 2026



ALLOWING THE WRIT PETITION

WITHOUT COSTS

Y.V.4
30/10/26