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W.P.No.2104 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.2104 of 2025
and W.M.P.No.2474 of 2025

J.Priyadarshini

.. Petitioner

Versus

1. The Registrar,
The Tamil Nadu Dr.M.G.R.Medical University,
Chennai – 32.
2. The Controller of Examinations,
The Tamil Nadu Dr.M.G.R.Medical University,
Chennai – 32.
3. The Chairman,
Madha Dental College and Hospital,
Madha Nagar, Kundrathur,
Chennai – 600 069.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 3rd respondent to repay a sum of Rs.20,01,400/- (Rupees twenty lakh one thousand four hundred only) which is collected in excess of fees fixed by the Fees Fixation Committee for the year 2015-2024 and also direct the 3rd respondent to pay compensation to the petitioner as fixed by this Court for not applying proper certificates namely, PC-1 and PC-2 and CRI completion certificate



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before the 2nd respondent and collection of extra fees throughout the years 2015 to 2024 by violating all statutory Rules and Norms.

For Petitioner : Mr.K.R.Gunashekar

For Respondents : Mr.J.Selvaraja, for RR-1 and 2

: Mr.Richardson Wilson, for R3

ORDER

This Writ Petition is filed for a Writ of Mandamus directing the third respondent to repay the sum of Rs.20,01,400/- which is collected in excess of the fee fixed by the Fee Fixation Committee for the years 2015-2024 and also to direct the third respondent to pay the compensation to the petitioner as fixed by this Court for not applying proper certificates namely, PC-1 and PC-2 and CRI completion certificate before the second respondent and collection of extra fees throughout the years.

2. Upon hearing the learned Counsel for the petitioner and perusing the material records of the case, the case of the petitioner is that the petitioner joined the third respondent institution on 28.10.2015 for the B.D.S., Course under the management quota. It is her case that over and above the fee fixed, every year, excess fee has been obtained from her.



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She had paid a sum of Rs.5,00,000/- capitation fee in cash and excess tuition fee at Rs.10,80,000/- and break fee of Rs.3,50,000/- and exam fee of Rs.71,400/- and thus, the third respondent college had collected a total sum of Rs.20,01,400/-, in excess of what is being prescribed by the Fee Fixation Committee. The Fee Fixation Committee, for the relevant year, by the order, dated 23.07.2015, fixed a fee of Rs.1,45,000/- which is inclusive of admission fee, tuition fee, special fee, laboratory fee, computer fee and all other fee mentioned therein and the development fee of Rs.5,000/- was also permitted to collect. In violation of the said mandate, the college has been collecting fee. Earlier also, the same institution came to adverse notice and compensation was levied and the same was also confirmed by the Division Bench of this Court in W.A.Nos.1146 and 1147 of 2022, by the judgment, dated 16.08.2022. Therefore, the petitioner submits that the Writ Petition may be allowed.

3. Per *contra*, Mr.Richardson Wilson, learned Counsel for the third respondent institution would submit the following breakup in the paragraph No.3 of the additional affidavit filed by them, which is extracted hereunder:-



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Particulars	Fee Per year	No of years	Total fee (for the 2016-2023)
TUITION FEE	1,30,000	4	5,20,000
ADDITIONAL FEE	1,70,000	4	6,80,000
Development Fees	35,000		
Book Fees	20,000		
Instrument & Material Fee	55,000		
Library Fee	9,000		
Sports Fee	7,500		
Lab Fees	10,000		
Record Books	10,500		
Digital Lab Fee	9,500		
Extra Curricular Fee	3,500		
Lab Coat / Scrubs	3,000		
Misc Fee	7,000		
Total	1,70,000		
Transport Fees for 7 years			2,70,000
Exam Fees to the University			80,000
TOTAL			15,50,000

4. The averment of the petitioner that she paid a capitation fee of Rs.5,00,000/- is denied. It is also further stated that as per the tabular column, the books and instruments were supplied and the petitioner also availed the transport facility, for which, Rs.2,70,000/-, is collected. It is submitted that it could be seen that even though they are entitled for a sum of Rs.1,45,000/-, as per the Fee Committee, in the tuition fee column, it is mentioned as Rs.1,30,000/-. Therefore, they are entitled for an additional



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sum of Rs.15,000/- in that regard. Therefore, even deducting the excess which is collected in the form of library fee, sports fee, lab fee, record books, digital labs fee, extra-curricular fee and miscellaneous fee etc., at best, the excess can only be arrived at Rs.2,46,000/-, which the respondent institution is willing to reimburse.

5. As far as the violation that is complained, it must be seen that the Division Bench order relates to the earlier point of time and after the instances, there is no complaint as against the institution. The learned Counsel further submit that as far as the degree is concerned, there are seven students along with the petitioner for whom the third respondent has to apply. The third respondent institution can apply as and when the University opens the portal and since the portal was opened yesterday, the particulars were already uploaded. Therefore, the petitioner, along with others, will receive the certificate also.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. At the outset, it is essential to extract the following portion of



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the fee fixation order, which governs the relevant year:-

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Sl. No.	Name of the Course	Fee Fixed during 2015 – 2016 Rs.
1	B.D.S	1,45,000/-
2	B. Sc. (Nursing)	40,000/-
3	B. Pharmacy	38,000/-
4	B.P.T	33,000/-
5	B.O.T	33,000/-
6	B.H.M.S.	50,000/-
7	B.A.M.S.	35,000/-
8	B.S.M.S	35,000/-
9	B.N.Y.S.	30,000/-
10	M.D (Homeo)	65,000/-

1. This fee is an all inclusive annual fee including various fees like admission fee, Tuition fee, Special fee, Laboratory / Computer / Internet fee, Library fee, Sports fee, Placement and Training fee, Development fee, Maintenance and Amenities fee, Extracurricular activities fee and other recurring expenditure.

2. In addition to the above recurring annual fee, the concerned institutions are permitted to collect a development fee not exceeding Rs.5000/- per student.

3. The management is directed to cover all the Students under Students Group Insurance Scheme.

4. The above fees does not include Hostel, Transport, Mess charges etc.

5. The Committee directs that the institutions shall not collect or levy any other recurring or non-recurring fee including capitation fee.

Any deviation of the proceedings will entail the institutions to undergo serious penal consequences like withdrawal of approval by respective authorities and disaffiliation by the concerned University as well as imposition of fine.

It also recommended that the Government of Tamil Nadu should frame a scheme to provide financial assistance to the poor and meritorious students.

8. Therefore, it can be seen that the institution can charge a fee of Rs.1,45,000/- which is inclusive of the fee mentioned therein and



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additionally, a sum of Rs.5,000/- was the development fee. Admittedly, in the instant case, the development fee is collected at the rate of Rs.35,000/- per year and the third respondent institution cannot collect fee once again in the separate heads of library fee, sports fee, lab fee, record books, digital lab fee, extra-curricular fee, miscellaneous fee etc. At the same time, the University is entitled to collect another Rs.15,000/- over and above the sum of Rs.1,30,000/-. Thus, after the calculation, as rightly contended by the learned Counsel for the third respondent, the admitted excess fee amount comes to Rs.2,46,000/-, which has to be refunded. As far as the books is concerned, it is stated that a sum of Rs.20,000/- per year is collected from a student. The student denies that any book is being supplied, but, the University refused the said allegations. Similarly, for the instruments and materials, a sum of Rs.65,000/- is collected which is also denied by the student and the allegation is again refuted by the institution. As far as the transport is concerned, it is submitted by the student that she used only for two years, whereas, they are collecting the fee for seven years.

9. In reply thereof, the learned Counsel for the third respondent institution is contending that it is the student who has to write to the



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institution that she is not availing the services. They have got records of bus route and on certain days, the student has also utilised the same.

10. It is true that the disputed questions of fact cannot be decided in the Writ Petition and whether the books have been supplied or not or whether the student availed the transport or not and whether the materials were actually supplied for a sum of Rs.55,000/- etc., are all questions of fact, in respect of which, a finding can be given only after a detailed trial.

11. At the same time, it is also proved that when the order of the Fee Committee is in existence which also warns of penal consequences, inspite of the same, extra fee under various heads has been collected. Therefore, instead of driving the student to once again file a suit and at the same time, considering the nature of claim that is made, I am of the view that towards all claims of excess fee and also compensation etc., apart from the excess calculated at Rs.2,46,000/-, another sum of Rs.3,54,000/- can be ordered by this Court which will be in the interest of both sides and the total sum of Rs.6,00,000/- can be directed to be paid by the third respondent institution to the student. There shall be no further claim under any head whether the refund of amount or under the head of compensation



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etc. The submission made by the learned Counsel for the third respondent institution that there has been no subsequent violation by the College and they are adhering strictly to the Fee Committee's prescription, is also recorded.

12. In view thereof, this Writ Petition is disposed of on the following terms:-

(i) It is reported by the third respondent institution that already, the particulars of the petitioner have been entered into the portal along with the other similarly situated students and accordingly, the second respondent Nos.1 and 2 authorities shall process the same and issue the degree certificate in the manner known to law;

(ii) Let there not be any further impediment for the student to collect the degree certificate as per procedure;

(iii) The third respondent institution, within four weeks from the date of receipt of a web-copy of this order without waiting for a certified copy of this order, shall pay a sum of Rs.6,00,000/- to the petitioner which shall be of full quit towards all claims of extra fee and compensation by the petitioner;

(iv) If the said amount is not paid within the above said time



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limit, the same shall be further carry interest at the rate of 12% per annum from today;

(v) The University shall process and the degree certificate shall be issued to the petitioner within a period of eight weeks from the date of receipt of a web-copy of this order.

(vi) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

17.02.2026

Neutral Citation : yes
grs

To

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D.BHARATHA CHAKRAVARTHY, J.

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