



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.24389 of 2026

and

WMP No.26572 of 2026

Hemamalini Rajinikanth
Reg.No.151610002
No.36,5th Main Road, Thillai Ganga Nagar,
PO.Nanganallur, DIST.Kancheepuram,
Tamil nadu-600 061.

..Petitioner(s)

Vs

1. The Director of Saveetha Dental College and Hospital, 162, Poonamallee High Road, Velappanchavadi, Chennai-077.
2. The Principal
Saveetha Dental College and Hospital,
162, Poonamallee High Road,
Velappanchavadi, Chennai-077.

..Respondent(s)

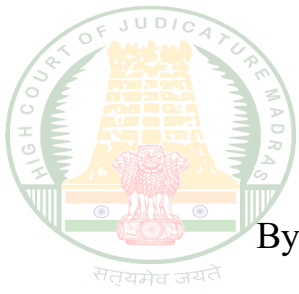
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondent 1 and respondent 2 to return the original certificates and direct the respondents not to insist upon payment of any alleged pending fees as a condition for return of petitioner's original certificates based on the petitioner's representation dated 22.04.2026.

For Petitioner(s):

Mr.V.Karthikeyan

For Respondent(s):

Mr.Navaneetha Krishnan
Standing Counsel for Respondents



ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of Mandamus directing the respondents 1 and 2 to return the original certificates and direct the respondents not to insist upon payment of any alleged pending fees as a condition for return of petitioner's original certificates based on petitioner's representation dated 22.04.2026.

3. It is submitted by the learned counsel for petitioner appearing on behalf of the respondent College that the certificates are being retained only for want of no due certificate.

4. The question as to whether College can retain the certificate for want of No Due Certificate is no longer *res integra*. In this regard, it may be relevant to refer to the order of this Court in W.P.(MD)No.1619 of 2023, dated 26.04.2023 wherein it was held as under:

“12.The learned counsel for the petitioner relied on a decision of the learned Single Judge in S.Muthukamatchi Vs 1.The Director of Technical Education, Anna University, Guindy, Chennai and others reported in 2013 1 CTC 595, wherein, the learned Single Judge had examined the representation given for return of certificates. In that particular case, the petitioner had



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sought refund of fees and certificates. The reason was that the petitioner therein cannot travel daily, from her residence to the college, which was to distance of about 55 kms. It had been held at paragraph No.3 as follows.

“3.The Certificates of the petitioner's daughter represent her property. They cannot be retained by the College at any rate. Even if the College has any monetary claim, the rejection of the said Certificates is not the method by which, the claim can be enforced. There is no lean on the Certificates of the petitioner's daughter.”

13.The learned counsel for the petitioner also relied on the Judgment of a learned Single Judge in W.P.No.6221 of 2021 in G.Karthikvasan Vs The Vice Chancellor, Pondicherry University, Chinna Kalapet, Kalapet, Puducherry and others, dated 26.04.2021, wherein also, relief was sought to return of original certificates. The learned Single Judge had referred to another order of learned Single Judge in W.P.No.29359 of 2017, dated 24.01.2018 and had also drawn reference to the Judgment supra in S.Muthukamatchi v. The Director of Technical Education, Anna University [2013 (1) CTC 595] and finally held in paragraph No.5 as follows:

“5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and also following the earlier order of this Court dated 24.01.2018 in WP.No.29359 of 2017 (cited supra), which holds good to the facts of the present case, this Court directs the third respondent to consider the petitioner's representation dated 27.02.2021 and return all the original certificates withheld by them to the petitioner forthwith. However, it is open to the third respondent to recover the balance fee payable by the petitioner, if any, in the manner known to law.”



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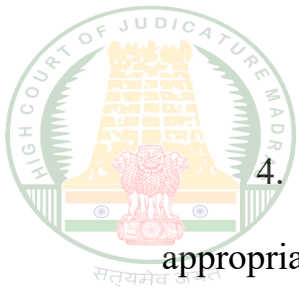
19. The learned single judge in 2013(1)CTC 595 has held that

“The Certificates of the petitioner's daughter represent her property. They cannot be retained by the College at any rate. Even if the College has any monetary claim, the rejection of the said Certificates is not the method by which, the claim can be enforced. There is no lean on the Certificates of the petitioner's daughter.”.

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.

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.

23. With the above directions, this Writ Petition stands disposed of. No costs.”



4. In view of the above reasons, there shall be a direction to the appropriate respondent to return the original certificates to the petitioner, within a period of ten working days from the date of uploading of web copy without waiting for receipt of certified copy of the order. The petitioner or any authorised person may claim the certificates, on giving undertaking and acknowledgement to the concerned respondent. The respondents are at liberty to file appropriate proceedings to recover the discontinuation fees/ or any dues in accordance with law. It is made clear that certificates shall be released and thereafter the process of recovery of discontinuation fees can be initiated by respondents.

5. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

29-06-2026

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

To:

1. The Director of Saveetha Dental College and Hospital
162, Poonamallee High Road,
Velappanchavadi, Chennai-077.
2. The Principal,
Saveetha Dental College and Hospital,
162, Poonamallee High Road,
Velappanchavadi, Chennai-077.



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MOHAMMED SHAFFIQ J.

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