

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2017

CORAM

THE HONOURABLE MR.JUSTICE N. KIRUBAKARAN

W.P. No.31005 of 2017

and

W.M.P.No.33979 of 2017

N.Manikandan

...Petitioner

Vs.

1.The Dental Council of India

Aiwan-Galib Marg
Kotla Road, Temple Lane
New Delhi - 110 002.

2.The Tamil Nadu Dr.M.G.R.Medical University

No.69, Anna Salai
Guindy, Chennai - 600 032.

3.The Chairman

Ragas Dental College and Hospital
No.2/102, East Coast Road
Uthandi, Chennai - 600 119.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to furnish the original MDS degree certificate, mark sheets, course completion certificate, transfer certificate and conduct certificate to the petitioner and consequently direct the third respondent to pay suitable compensation to the petitioner within such time as may be directed by this Hon'ble Court.

For Petitioner : Mr.S.Thankasivan

For Respondents : Dr.S.Seethalakshmi [For R1]
Mrs.P.Rajalakshmi [For R2]
Mr.Abishek Jenasenan [For R3]

O R D E R

The petitioner completed Post Graduation Dental Course, MDS in the 3rd respondent/college during the academic year 2010-2013. The petitioner was declared passed in the MDS course and the MDS degree certificate and mark sheets were also forwarded by the 2nd respondent/University to the 3rd respondent/College. However, the 3rd respondent refused to hand over the certificates stating that the petitioner should pay a further sum of Rs.10,00,000/- towards capitation fee in addition to the sum of Rs.15,00,000/-, which was already collected by the College. Therefore, the petitioner submitted a representation to the 3rd respondent/college on 13.05.2017, for which a reply was received from the 3rd respondent on 17.05.2017. Thereafter, the petitioner again gave a representation to the respondents on 23.05.2017, for which the 3rd respondent had replied vide letter dated 26.05.2017 stating that the petitioner should meet the Principal and the Chairman of the 3rd respondent/college, who insisted upon payment of Rs.10,00,000/-. Hence, the petitioner has come before this Court.

2.Heard Mr.S.Thanka Sivan, learned counsel appearing for the petitioner, Dr.S.Seethalakshmi, learned counsel appearing on behalf of 1st respondent, Mrs.P.Rajalakshmi, learned counsel appearing on behalf of 2nd respondent and Mr.Abishek Jenasenan, learned counsel appearing on behalf of 3rd respondent.

3.When the matter is called today i.e., 04.12.2017, Mr.Abishek Jenasenan, learned counsel appearing on behalf of 3rd respondent would submit that some amount is due from the petitioner towards payment of fee and other charges. If that is so, for recovery of money from the petitioner, it is always open to the 3rd respondent to initiate appropriate proceedings before appropriate forum.

4.The writ petition is disposed of, giving such liberty to the third respondent. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

maya

To

1.The Dental Council of India
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New Delhi - 110 002.

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No.69, Anna Salai
Guindy, Chennai - 600 032.

3.The Chairman
Ragas Dental College and Hospital
No.2/102, East Coast Road
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+1cc to Mrs.Seethalakshmi, Advocate, S.R.No.85616

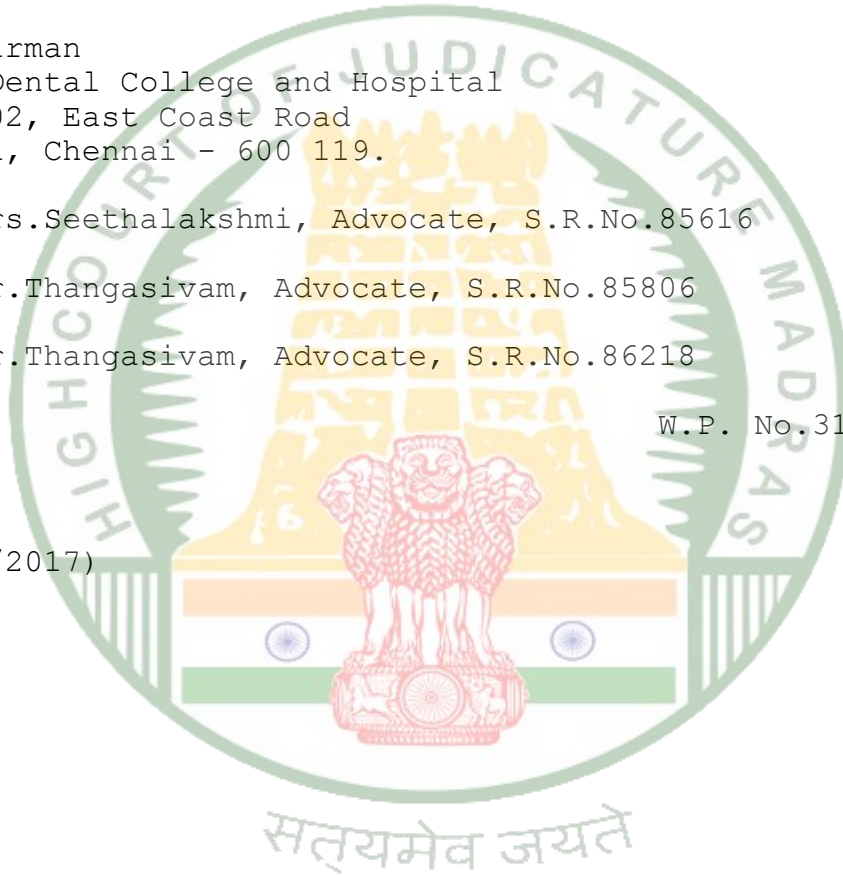
+1cc to Mr.Thangasivam, Advocate, S.R.No.85806

+1cc to Mr.Thangasivam, Advocate, S.R.No.86218

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MG (CO)

RRK (19/12/2017)



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