

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-11-2017

CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN**W.P.No.21609 of 2017**

Ms.Olivia Lorraine Soni

... Petitioner

Vs

1.The State of Tamil Nadu
Rep.by Secretary to Govt.
Fort St.George,
Chennai - 600 009.

2.The Registrar
Tamil Nadu Dr.MGR Medical University,
Guindy,
Chennai - 600 076.

3.Ragas Dental College & Hospital
Affiliated to the Tamil Nadu Dr.MGR Medical University
Rep. by Principal
2/102, East Coast Road, Uthandi,
Chennai - 600 119.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st and 2nd respondents to direct the management of the 3rd respondent college to issue Transfer Certificate and Conduct Certificate and return the

petitioner Original 12th Standard Mark Sheet without insisting upon payment of Tuition and other fees for the period falling after date of the petitioner exercising option to discontinue the course and intimating the same to the management.

For Petitioner : Mr.S.Ranjith Kumar

For Respondents : Mr.T.M.Pappiah, (for R1)
Special Government Pleader

Mr.P.R.Gopinathan (for R2)

Mr.A.Jenasenan (for R3)

ORDER

The petitioner joined BDS in the third respondent college during the academic year 2016-17. However after joining the course, the petitioner was unable to continue due to medical problems and hence, she discontinued the course. For issuance of Transfer Certificate and Conduct Certificate, the third respondent/College demanded the balance tuition fees for the course stating that the seat remained vacant. Therefore, the petitioner has approached this Court, seeking writ of mandamus directing the 3rd respondent/college to issue Transfer Certificate and Conduct Certificate and return the original 12th standard mark sheet without insisting upon payment of tuition and other fees.

2.Heard Mr.S.Ranjith Kumar, learned counsel for the petitioner; T.M.Pappiah, learned Special Government Pleader for the first respondent; Mr.P.R.Gopinathan, learned standing counsel for the second respondent and Mr.Abishek Jenasenan, learned counsel for the third respondent.

3.When the matter is called today, Mr.Abishek Jenasenan, learned counsel for the third respondent/College handed over the 12th standard mark sheet, Transfer Certificate and Conduct Certificate to Mr.S.Ranjith Kumar, learned counsel for the petitioner, which has been accepted by him. Since the certificates as demanded by the petitioner has been handed over to the learned counsel for the petitioner, prayer sought for by the petitioner has been complied with. However, as the learned counsel for the 3rd respondent would submit that the money due by the petitioner has to be paid by her, it is open to the 3rd respondent to take appropriate proceedings against the petitioner for recovery of the alleged fees.

4.With the above observations, this Writ Petition is disposed. No costs.

30.11.2017

sai

N.KIRUBAKARAN, J

sai

To

1.The State of Tamil Nadu
Rep.by Secretary to Govt.
Fort St.George,
Chennai - 600 009.

2.The Registrar
Tamil Nadu Dr.MGR Medical University,
Guindy,
Chennai - 600 076.

3.Ragas Dental College & Hospital
Affiliated to the Tamil Nadu Dr.MGR Medical University
Rep. by Principal
2/102, East Coast Road, Uthandi,
Chennai - 600 119.

W.P.No.21609 of 2017



WEB COPY

Dated : 30.11.2017