



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P (MD) No.21950 of 2017

and

WMP (MD) No.18246 of 2017

Nilofar Nazar

... Petitioner

Vs.

1.The Ministry of Health and Family Welfare,
rep by. its Secretary,
Government of India,
A Wing Nirman Bhavan,
Moulana Azath Road,
New Delhi - 11.

2.The Dental Council of India,
Alwan - E Galib Marg,
Kotla Road,
Temple Lane,
Opp to Mathasundari College for Women,
New Delhi - 110 002.

3.The Registrar,
Dr.MGR Medical University,
No.69, Anna Salai,
Little Mount, Guindy,
Chennai.

4.The Member Secretary,
Tamil Nadu Committee for Fixation of Fee,
In respect of self-financing Dental Colleges,
Chennai.

5.Best Dental Science College,
Rep by its Principal,
No.4/235, College Road,
Tahsildhar Nagar,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus to direct the 5th respondent, to permit the petitioner to continue her BDS Dental Degree Course in the 5th respondent college and attend all classes and consequentially, forbear the 5th respondent from demanding any fee in excess of the fee fixed by the 4th respondent committee and direct the respondents 1 to 4 to ensure the same.



For Petitioner : Mr.M.Mahaboob Athiff
For Respondents 1 & 2 : Mr.R.Arjunarajan
For Respondents 3 & 4 : Mr.M.Alagathevan
Special Government Pleader
For Respondent -5 : Mr.Anwar Sameem

WEB COPY

ORDER

This writ petition has been filed, seeking a writ of Mandamus to direct the 5th respondent, to permit the petitioner to continue her BDS Dental Degree Course in the 5th respondent college and attend all classes and consequently, forbear the 5th respondent from demanding any fee in excess of the fee fixed by the 4th respondent committee and direct the respondents 1 to 4 to ensure the same.

2.Heard both sides.

3.By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, she is pursuing second year BDS Course in the 5th respondent's college. Though she had paid the fee fixed by the committee, she has been compelled to pay over and above the fee fixed by the committee and she has not been permitted to attend the classes. Hence, the petitioner is before this Court.

5.On the contrary, the learned counsel appearing for the fifth respondent, on instructions stoutly refuted such contention and he has also brought to the notice of this Court the fifth respondent's communication dated 01.10.2015, which indicates the fee fixed by the Committee and the petitioner is permitted to pay fee mentioned in the above communication and upon payment of such fee, the petitioner is entitled to continue her Course.

6.Recording such statement, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

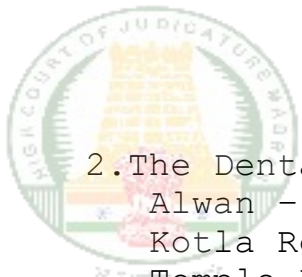
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Government of India,
Asstt. Secy. to Govt. of India,
Moulana Azath Road,
New Delhi - 11.



2.The Dental Council of India,
Alwan - E Galib Marg,
Kotla Road,
Temple Lane,
Opp to Mathasundari College for Women,
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Madurai.

+1cc to Special Government Pleader, SR.No. 90544
+1cc to M/S.Ajmal Associates, Advocate SR.No. 90311
+1cc to M/S.R.Arjunarajan, Advocate SR.No. 89987
+1cc to M/S.T.Antony Arul Raj, Advocate SR.No. 90476

ORDER MADE IN
W.P (MD) No.21950 of 2017
29.11.2017

dsk
JM/SV MMS/SAR 1/12.12.2017/3P/10C