

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.02.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.15282,15955 and 29278 of 2016 & 26071 of 2017  
and

W.M.P.Nos.13328,13798 & 25311 of 2016

1. V.Abirami
2. S.Sivaranjani
3. V.Poornima
4. Teja.Eddula
5. S.Muruganandam
6. G.Suganya
7. D.Kavitha
8. K.Sarika
9. S.Kanmani Preethi
- 10.M.Saranya
- 11.N.Varshini
- 12.Franklin Mary Shirley.P
- 13.T.Vidhyalakshmi
- 14.M.Sangeetha
- 15.R.K.Sathish Kumar
- 16.S.Narendran
- 17.V.Ashok Kumar
- 18.R.Sivaranjani
- 19.R.Narayane
- 20.S.Kapil Dev Kumar
- 21.M.Ashwin Kumar
- 22.S.Sakthidaran
- 23.M.Devarajan
- 24.B.Vigneshwaran
- 25.K.Poongothai

..Petitioners in W.P.No.15282 of 2016

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- 1.Dr.M.Kingston Vijay Asir
- 2.Dr.G.M.Badhusha Mohideen Ibrahim
- 3.Dr.Achyutha Krishnan.T
- 4.Dr.Sudha Dhiyanesh.R
- 5.Dr.Ashwin Muthukumar.R
- 6.Dr.Nivash.S
- 7.Dr.Praveen kumar.S
- 8.Dr.Raj Prabha.R
- 9.Dr.Sibha.S.D
- 10.Dr.Sangeetha.A.G

11.Dr.Sanghamithra.R.E  
12.Dr.Sowmiya.A  
13.Dr.Gayathri.C.R  
14.Dr.S.Anitha  
15.Dr.M.Mohamed Sheik Alsabrin  
16.Dr.Tanzeem.S  
17.Dr.A.Thillaikkarasi  
18.Dr.S.Maajitha Banu  
19.Dr.P.Sankara Thiagarajan  
20.Dr.S.Amala  
21.Dr.Indhuja.K.  
22.Dr.J.Ramprasad  
23.Dr.Geo.Hencily Cleetus  
24.Dr.Nandini Priyanka  
25.Dr.Arthi.M  
26.Dr.M.Ajeeth Fera  
27.Dr.Vidyachal Ravindra  
28.Dr.N.Gowthaman  
29.Dr.P.Vanitha  
30.Dr.D.Nirmala  
31.Dr.Yazhini.E  
32.Dr.Yogavalli  
33.Dr.Sangeetha.J  
34.Dr.Ananthakumar.P  
35.Dr.Muthulakshmi.R  
36.Dr.S.K.Sridevi  
37.Dr.R.Lavanya  
38.Dr.Santhosh.T  
39.Dr.Sukanyaa.S  
40.Dr.Gopathiraj.R  
41.Dr.S.Aasai Selvan  
42.Dr.Abhinaya.S  
43.Dr.Venmathi.E  
44.Dr.Anandavalli  
45.Dr.Abinaya.A  
46.Dr.Kiruthiga.G  
47.Dr.Abineya.A.R  
48.Dr.Dinath Swaroop  
49.Dr.Ralleen Jacob.E  
50.Dr.M.Deepesh  
51.Dr.J.Ann Jenita  
52.Dr.Santhakumar.B

..Petitioners in W.P.No.15955 of 2016

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S.Rajalakshmi

..Petitioner in W.P.No.29278 of 2016

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Raju

..Petitioner in W.P.No.26071 of 2017

vs

1. The Annamalai University,  
rep.by its Administrator,  
Annamalai Nagar,  
Chidambaram,  
Cuddalore District.
2. Rajah Muthiah Dental College,  
rep.by its Registrar,  
Annamalai Nagar,  
Chidambaram,  
Cuddalore District.
3. The Government of Tamil Nadu,  
rep.by Secretary to Government,  
Health & Family Welfare Department,  
Fort St.George, Secretariat,  
Chennai - 600 009.
4. The Government of Tamil Nadu,  
Rep.by Secretary to Government,  
Higher Education Department,  
Fort St.George, Secretariat,  
Chennai - 600 009.
5. The Dental Council of India,  
Aiwan-E-Galib Marg,  
Kolta Road, New Delhi.
6. The Director of Medical Education,  
152, EVR Periyar Salai,  
Kilpauk, Chennai - 10.
7. The Chairman,  
Fee Fixation Committee for Medical Colleges,  
Gandhi Mandapam Road,  
Chennai.

..Respondents in W.P.No.15282 of 2016

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1. The Government of Tamil Nadu,  
Rep by the Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Fort St.George,  
Chennai - 600 009.
2. The Government of Tamil Nadu,  
Rep.by Secretary to Government,  
Higher Education Department,  
Fort St.George, Secretariat,  
Chennai - 600 009.

3. The Director of Medical Education,  
152, E.V.R.Periyar Salai, Kilpauk,  
Chennai - 600 010.
4. The Secretary,  
Selection Committee,  
Directorate of Medical Education,  
152, EVR Periyar Salai, Kilpauk,  
Chennai - 600 010.
5. The Annamalai University,  
Annamalai Nagar,  
Chidambaram,  
Cuddalore District,  
Rep.by its Registrar.
6. The Chairman,  
Fee Fixation Committee for Medical Colleges,  
Gandhi Mandapam Road,  
Guindy, Chennai - 25.
7. The Medical Council of India,  
Rep.by its Secretary,  
Pocket - 14 Phase - 1, Sector 8,  
Dwarka,  
New Delhi - 110 077 .. Respondents in W.P.No.15955 of 2016

1.The Government of Tamil Nadu,  
Rep.by Secretary to Government,  
Health & Family Welfare Department,  
Fort St.George, Secretariat,  
Chennai - 600 009.

2.The Government of Tamil Nadu,  
Rep.by Secretary to Government,  
Higher Education Department,  
Fort St.George, Secretariat,  
Chennai - 600 009.

3.The Annamalai University,  
Annamalai Nagar,  
Chidambaram,  
Cuddalore District,  
Rep.by its Registrar.

- 4.The Chairman,  
Fee Fixation Committee for Medical Colleges,  
Gandhi Mandapam Road, Chennai.
- 5.The Medical Council of India,  
Rep.by its Secretary,  
Pocket IV, Phase I,  
Sector VIII, Dwarka  
New Delhi - 110 077. ..Respondents in W.P.No.29278 of 2016

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- 1.The Secretary to Government,  
Higher Education Department,  
Fort St.George, Chennai.
- 2.The Secretary to Government,  
Health and Family Welfare Department,  
Fort St.George, Chennai.
- 3.The Chairman,  
Medical Council of India,  
8<sup>th</sup> Sector, Dwarka, New Delhi - 77.
- 4.The Registrar,  
Annamalai University,  
Annamalainagar,  
Chidambaram.
- 5.The Dean,  
Raja Muthaiah Medical College and Hospital,  
Annamalainagar, Chidambaram.
- 6.The Federation of Medical and Dental Students,  
RMMCH and Dental College, Annamalai University.
- 7.Dr.R.Balaji, Final Year M.D.PHARMACOLOGY,  
(Assistant Surgeon, Government PHC,  
Thiruvengadu)2015 Batch.
- 8.Dr.M.Rajeshkumar, Final Year Diploma in Anaesthesiology,  
(Medical Officer, Government PHC, Moolaikaraipatti) -  
2016 Batch.
- 9.Dr.C.Jayaprakash, Final Year M.S.General Surgery  
(Assistant Surgeon(Asst.Programme Manager),  
DDHS, Madurai)-2015 Batch.

10.Dr.R.Renjith Singh, Final Year M.S.General Surgery,  
(Assistant Surgeon, Government PHC, Kannanoor)-2015 Batch.

11.Dr.Jayaram Kosalaram, Final Year M.D.General Medicine,  
(Assistant Surgeon, Government.PHC, Sangnapuram)  
-2015 Batch.

12.Dr.R.Vanathi, Final Year M.D.O& G(Assistant Surgeon),  
Government.PHC, Thiruvengadu)-2015 Batch.

13.Dr.A.V.Aswin, Final Year M.D.Anaesthesiology,  
(Assistant Surgeon, Government.PHC, Pudchathram)-2015 Batch.

14.Dr.A.R.Abineya, Final Year M.D.O. & G  
(Non-Service Candidate)-2015 Batch.

15.Dr.S.Aravind Vimal, Final Year M.S.General Surgery,  
(Assistant Surgeon, Government.PHC,  
Konerirajapuram)-2015 Batch.  
(R6 to R15 suo motu impleaded as per the order  
of this Court dated 05.10.2017 in W.P.No.26071 of 2017)

...Respondents in W.P.No.26071 of 2017

Prayer in W.P.No.15282 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents herein, their subordinates from in any manner demanding or collecting fees from the petitioners herein for the II year MDS course for the academic year 2016-17 in excess of the fee that is charged in Government Dental Colleges in the State of Tamil Nadu.

Prayer in W.P.No.15955 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the Respondents herein, their men, agents, servants, subordinates or any officer or officers claiming under them from, in any manner, demanding and collecting the fees from the Petitioners in excess of the fees fixed for Post Graduation Course in Govt.Medical Colleges in the state of Tamil Nadu and direct the 5<sup>th</sup> respondent College to refund the excess fees collected from the Petitioners for the academic year 2016-2017.

Prayer in W.P.No.29278 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the Respondents herein, their men, agents, servants, subordinates or any other person or persons claiming through them or authorized by them from, in any manner, demanding or collecting fees from the Petitioner herein for the

IV th year BDS Course for the academic year 2016-17 in excess of the fee that is charged in Government Medical Colleges in the State of Tamil Nadu and direct the 3<sup>rd</sup> Respondent herein to refund the amount collected from the petitioner in excess of the fees fixed by the Government of Tamil nadu for the BDS course in the Government Medical Colleges during the academic years 2013-14, 2014-15, 2015-16.

Prayer in W.P.No.26071 of 2017: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action against the PG Students and others who are pursuing medical course at 5<sup>th</sup> respondent college for making agitation and not attending their duty and abstaining others from attending their medical duty at the 5<sup>th</sup> respondent Hospital.

For Petitioners : M/s.M.V.Venkataseshan  
(in W.P.No.15282 of 2016)  
M/s.Mr.AL.Ganthimathi  
(in W.P.No.15955 of 2016)  
M/s.AL.Ganthimathi  
(in W.P.No.29278 of 2016)  
M/s.R.Nalliyappan  
(in W.P.No.26071 of 2017)

For Respondents

in W.P.No.15955 of 2016: Mr.K.Sathish Kumar for R5  
Mr.C.Munusamy for R1 to R4  
Mr.V.P.Raman for R7

in W.P.No.15282 of 2016 :Mr.K.Sathish Kumar,SC,for R1 & R2  
Mr.C.Munusamy for R3, R4 & R6  
Dr.S.Seethalakshmi for R5

in W.P.No.29278 of 2016 :Mr.C.Munusamy,Spl GP for R1 & R2  
Mr.K.Sathishkumar for R3  
Mr.V.P.Raman for R4 & R5

in W.P.No.26071 of 2017 :Mr.C.Munusamy for R1 & R2  
SGP(Education)  
Mr.V.P.Raman for R3  
Mr.K.Sathish Kumar for R4 & R5

#### C O M M O N O R D E R

When the matters were taken up for consideration, the learned counsel for the petitioners and the learned counsel for the respective respondents jointly submitted that W.P.Nos.20720

and 22305 of 2014 filed for the very same relief sought for in the present writ petitions, have been dismissed by this Court, vide order dated 02.12.2014. Challenging the same, WA.Nos.1637 and 1638 of 2014 have been filed and the same have also been ultimately, dismissed, by the Division Bench of this Court, vide judgment dated 26.09.2016.

2.In view of the above submission, all the writ petitions are dismissed, in the light of the orders referred to above. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Administrator,  
The Annamalai University,  
Annamalai Nagar, Chidambaram,  
Cuddalore District.
2. The Secretary to Government,  
Health & Family Welfare Department,  
Fort St.George, Secretariat,  
Chennai - 600 009.
3. The Secretary to Government,  
Higher Education Department,  
Fort St.George, Secretariat,  
Chennai - 600 009.
4. The Dental Council of India,  
Aiwan-E-Galib Marg,  
Kolta Road, New Delhi.
5. The Director of Medical Education,  
152, EVR Periyar Salai,  
Kilpauk, Chennai - 10.
6. The Secretary,  
Selection Committee,  
Directorate of Medical Education,  
152, EVR Periyar Salai, Kilpauk,  
Chennai - 600 010.

7. The Chairman,  
Fee Fixation Committee for Medical Colleges,  
Gandhi Mandapam Road,  
Guindy, Chennai - 25.

8. The Secretary,  
The Medical Council of India,  
Pocket - 14 Phase - 1, Sector 8,  
Dwarka, New Delhi - 110 077

9. The Chairman,  
Medical Council of India,  
8<sup>th</sup> Sector, Dwarka, New Delhi - 77.

10. The Registrar,  
Annamalai University,  
Annamalainagar,  
Chidambaram.

11. The Dean,  
Raja Muthaiah Medical College and Hospital,  
Annamalainagar, Chidambaram.

+1cc to M/s.M.V.Venkataseshan, Advocate, S.R.No.8913  
+1cc to Dr.S.Seethalakshmi, Standing Counsel, S.R.No.29278  
+1cc to Mr.V.P.Raman, Advocate, S.R.No.8860  
+1cc to M/s.AL.Ganthimathi, Advocate, S.R.No.9459  
+1cc to Mr.K.Sathish Kumar, Advocate, S.R.No.9169  
+1cc to M/s.AL.Ganthimathi, Advocate, S.R.No.9460

W.P.Nos.15282, 15955 and  
29278 of 2016  
and 26071 of 2017

NRK(CO)  
CS/06/04/18

सत्यमेव जयते

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