



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.8972 of 2021

Doctors Association for Social Equality,
rep. by its General Secretary Dr.G.R.Ravindranath,
No.41, Chavadi Street,
Pallavaram,
Chennai - 600 043.

...Petitioner

Vs.

- 1.The Principal Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
- 2.The Principal Secretary to Government,
Higher Education (H1) Department,
Fort St. George, Chennai - 600 009.
- 3.The Director of Medical Education,
DME, No.16, Periar EVR High Road,
Kilpauk, Chennai - 600 010.
- 4.The Registrar,
Tamil Nadu Dr.MGR Medical University,
Guindy, Chennai - 600 032.
- 5.The Dean,
Government Medical College & Hospital,
Cuddalore District
(formerly Rajah Muthiah Medical College & Hospital),
Annamalai Nagar, Chidambaram,
Tamil Nadu - 608 002.
- 6.The Registrar,
Annamalai University,
Annamalai Nagar, Chidambaram,
Tamil Nadu - 608 002.



7. The Dean,
Government Dental College & Hospital,
Cuddalore District
(formerly Rajah Muthiah Medical College & Hospital)
Annamalai Nagar, Chidambaram,
Tamil Nadu - 608 002.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent authorities 1 to 4 to immediately implement the G.O.Ms.No.16 dated 27.1.2021 (High Education (H1) Department and G.O.Ms.No.45 (Health & Family Welfare (MCA-2) Department) dated 1.2.2021 to enable the students of 5th and 7th respondent colleges to write their University examinations from the academic year 2020-21 onwards under the state-run 4th respondent Medical University.

For the Petitioner : Mr.S.Thankasivan

For the Respondents : Mr.C.Harsha Raj
Counsel for the State
for respondent Nos.1 to 3

: Mr.S.Wilson
for respondent No.4

Mr.K.Sathish Kumar
for respondent Nos.5, 6 & 7

ORDER

This Writ Petition has been filed by the Doctors Association for Social Equality seeking a direction to Respondent Nos.1 to 4 to immediately implement the G.O.Ms.No.16, Higher Education (H1) Department, dated 27.01.2021 and G.O.Ms.No.45, Health & Family Welfare (MCA-2) Department, dated 01.02.2021 to enable the students of the Colleges of the Fifth and Seventh Respondent to write their University examinations from the academic year 2020-2021 onwards under the state-run Tamil Nadu Dr. MGR Medical University/Fourth Respondent.

2. In response to the aforesaid relief claimed, the First and Third Respondents have filed Counter-Affidavit dated 29.07.2021 in which it has been stated that the students admitted for MBBS course upto the academic year 2020-2021 would have to appear for the examinations conducted by Annamalai University/Sixth Respondent till they obtain their degree certificate. It has been further clarified that the said



students are not entitled to appear for examinations conducted by Tamil Nadu Dr. MGR Medical University/Fourth Respondent since the affiliation of the College of the Seventh Respondent to the Fourth Respondent is prospective from the academic year 2021-2022 onwards. In view of the same, it is not possible to grant the relief claimed in the Writ Petition.

3. Learned Counsel appearing for the Petitioner referring to paragraph 2 of G.O.Ms.No.45, Health & Family Welfare (MCA-2) Department, dated 01.02.2021 wanted a clarification from the Respondents as to what would be the fee structure to be followed in respect of the students admitted prior to the academic year 2020-2021.

4. In this regard, paragraph 4 of G.O.Ms.No.45, Health & Family Welfare (MCA-2) Department, dated 01.02.2021, provides as follows:-

"4. After careful examination of the proposal of the Director of Medical Education, the Government hereby accord administrative sanction on the following:-

(a) The fees structure for the Medical (Under Graduate/ Post Graduate) / Dental / Nursing course of the institutions namely Rajah Muthiah Medical College and Hospital, Rani Meyyammal College of Nursing and Rajah Muthiah Dental College and Hospital, Chidambaram now taken over as Government institutions shall be as that of prevailing fees structure for the existing Government Medical / Dental / Nursing colleges as detailed below:-

Sl. No.	Courses	Fees per Annum (in Rs.)
1	M.B.B.S.	Tuition Fee : 4,000/- Special Fee : 950/- (including Medical Exam) Caution Deposit : 1,000/- Library Fee : 1,000/- University Fee : 6,060/- LIC (Group Insurance) : 300/- Red Cross : 100/- Miscellaneous Fee : 100/- Flag Day : 100/-



It has been further stated that subsequently another G.O.(Ms) No.122 Health and Family Welfare (MCA2) Department dated 26.02.2021 has been issued, in which it has been provided as follows:-

"(c) Any earlier unpaid fees will be charged as per the earlier structure prior to issue of the Government Order and the present Government Order is prospective in nature."

The aforesaid submissions made are placed on record.

5. Nothing remains for further consideration in this Writ Petition.

6. In the result, W.P.No.8972 of 2021 is disposed of. W.M.P.No.9487 of 2021 is closed. There will be no order as to costs. .

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

bbr/vjt
To:

- 1.The Principal Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
- 2.The Principal Secretary to Government,
Higher Education (H1) Department,
Fort St. George, Chennai - 600 009.
- 3.The Director of Medical Education,
DME, No.16, Periar EVR High Road,
Kilpauk, Chennai - 600 040.
- 4.The Registrar,
Tamil Nadu Dr.MGR Medical University,
Guindy, Chennai - 600 032.
- 5.The Dean,
Government Medical College & Hospital,
Cuddalore District
(formerly Rajah Muthiah Medical College & Hospital),
Annamalai Nagar, Chidambaram,
Tamil Nadu - 608 002.



6.The Registrar,
Annamalai University,
Annamalai Nagar, Chidambaram,
Tamil Nadu - 608 002.

WEB COPY

7.The Dean,
Government Dental College & Hospital,
Cuddalore District
(formerly Rajah Muthiah Medical College & Hospital)
Annamalai Nagar, Chidambaram,
Tamil Nadu - 608 002.

+1 CC to The Government Pleader sr 43949.

W.P.No.8972 of 2021

NR(CO)
SP(03/09/2021)