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W.A.No.1472 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

Writ Appeal No.1472 of 2016
and CMP Nos.18337 & 18338 of 2016

S.Judy Stalin

..Appellant

Vs.

1. The Dean

Rajah Muthiah Medical College,
Annamalai University,
Annamalai Nagar,
Chidambaram 608 002.

2. The Secretary,

Selection Committee,
Directorate of Medical Education,
162, Periyar E.V.R.High Road,
Kilpauk, Chennai 600 010.

3. The Registrar,

Thiruvannamalai Government Medical College,
Outer Ring Road New Town,
Thirinjapuram Union, Vengikkal,
Tiruvannamalai 606 604.



W.A.No.1472 of 2016

WEB COPY

4. The President,
Tamil Nadu Medical Council,
No.914, Poonamallee High Road,
Arumbakkam, Chennai.

.. Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court dated 26.10.2016 passed in W.P.No.36241 of 2016.

For Appellant : Ms. Anusuya Balaji
for M/s. R.Manickavel

For Respondents : Mr. K.Sathishkumar, for R1

Mr.Vadivelu Deenadayalan
Addl. Govt. Pleader, For RR 2& 3

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

The prayer in the Writ Petitions reads as follows:

“to issue a Writ of Mandamus, (i & ii)

forbearing the respondents 2 & 3 from claiming any

additional tuition fee from the petitioner for



W.A.No.1472 of 2016

releasing the original certificates in the custody of the third respondent (in WP Nos.36781 & 36529 of 2016)

(iii) Directing the first respondent to return all the original certificates collected from the petitioner and refund the fees paid to the first respondent in a sum of Rs.5,54,370/- towards the Tuition Fees and a further sum of Rs.73,000/- towards the Hostel Fees in WP No.36241 of 2016.

2. The learned Single Judge by an order dated 26.10.2016 directed the Certificates to be returned upon furnishing a Bank Guarantee of value equivalent to 50% of the tuition fee payable. One of the petitioners filed an Appeal and by an interim order dated 21.11.2016, the first respondent was directed to return all the original certificates without insisting on the Bank Guarantee. It is stated that in compliance of the interim order passed in the Appeal, the Certificates have been returned. In effect, the Writ Appeal has been allowed by virtue of the interim order itself.



W.A.No.1472 of 2016

3. Therefore, we do not find any scope for further hearing or passing further orders in this Writ Appeal. The Writ Appeal is therefore **closed**. Leaving it open to the parties to agitate all claims before the learned Single Judge, where the Writ Petition is pending. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(R.SUBRAMANIAN, J.) (K.KUMARESH BABU, J.)

29.09.2022

Index: Yes/no
Internet: Yes/no
speaking order/non speaking order
jv

To

1. The Dean
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Chidambaram 608 002.
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W.A.No.1472 of 2016

WEB COPY

3. The Registrar,
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(jv)

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