



W.P.No.32868 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

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D.Maneesha

..Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Secretariat,
Chennai – 600 009.

2.The Director of Medical Education,
Kilpauk, Chennai – 600 010.

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

4.The Dean,
Coimbatore Medical College,
Coimbatore.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, directing the 3rd respondent permitting petitioner to discontinue Pharmacology, Post Graduate Course



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without insisting penalty a sum of Rs.15 lakhs.

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For Petitioner : Mr.K.Sudhakar
For Respondents : Mr.T.Seenivasan,
Special Government Pleader for R1, R2 & R4
Ms.M.Sneha for R3

ORDER

Considering the limited prayer sought for in the Writ Petition, this Writ Petition is taken up for disposal at the admission stage with the consent of the learned counsel appearing on either side.

2. The petitioner seeks a mandamus directing the 3rd respondent to permit the petitioner to dis-continue the Post Graduate Course in Pharmacology without insisting on penalty.

3. The Prospectus which is a binding document requires the petitioner/ student, who discontinues Post Graduate course in the midstream to pay penalty, taking into account the fact that the seat will remain vacant for next 2 years. Such a provision in the prospectus has been repeatedly upheld.



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4. The learned counsel for the petitioner would submit that if this seat could be included in the next counselling and if it is allotted to someone else, then the 3rd respondent can think of exempting the petitioner.

5. Mrs.M.Sneha, learned Standing Counsel for Selection Committee would submit that all the counselling is over and there is no prospect of this seat getting filled up if the petitioner vacates.

6. In view of the above mandamus as prayed for cannot be issued.
The writ petition is therefore **dismissed**. No costs.

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dsa
Index : No
Internet : Yes
Speaking order



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To

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R.SUBRAMANIAN, J.

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