



WEB COPY



W.P.No.24336 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.24336 of 2023

S.Valarmathi

.. Petitioner

VS

1.Vice Chancellor

The Tamilnadu Dr.M.G.R.Medical University,  
69, Annasalai, Guindy, Chennai – 600 032.

2.The Principal

RVS Dental College and Hospital  
Kumaran Kottam Campus, Trichy Road,  
Coimbatore – 641 406.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 2<sup>nd</sup> respondent to return back the petitioner's 10<sup>th</sup> & 12<sup>th</sup> mark sheets, community certificate and issue the overall mark sheets from 1<sup>st</sup> year to 4<sup>th</sup> year of BDS course, Course Completion Certificate of BDS Course, Provisional Certificate 1 & 2 of BDS Course and Transfer Certificate within a time frame as may be fixed by this Court.

For Petitioner : Mr.I.M.Siddartha Ramarajan

For Respondents : Mr.Imaya Varamban  
for M/s.Ramalingam Associates  
for R1  
Ms. Mary Sowmi Remy  
for R2



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ORDER

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Read this order in conjunction with and in continuation of order dated 09.10.2023. That reads as follows:-

*"Petitioner has completed her BDS course and she is unable to practice from 2021 on account of the retention of the certificates by the 2nd respondent college.*

*2. As far as the 2nd respondent college is concerned, they justify the retention stating that she has not paid her fees completely.*

*3. Catena of case law frown upon the retention of certificates for non payment of fees. Learned counsel for the petitioner circulates copies of relevant decisions.*

*4. Final opportunity is granted to the respondents to file a counter. In the mean time, the respondent college will consider the petitioner's representation for the return of the certificates, for which purpose the petitioner may approach the respondent college immediately.*

*5. List on 01.11.2023. Counter by then with an advance copy served upon the petitioner."*

2. Today, both learned counsel for the petitioner as well as for the RVS Dental College / R2 concur on the position that the parties have been in discussion in regard to the matter. Though initially R2 had asked for bank guarantee as security for return of certificates, learned counsel for R2 would acquiesce to the position that the college does not intend to withhold the certificates any longer and hence certificates will be returned to the petitioner as



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and when the petitioner presents herself before R2/ Principal of College with a copy of this order.

3. As against the extent of admitted outstanding on various accounts, needless to say R2 is at liberty to initiate measures for recovery of the same, in accordance with law.

4. Writ petition stands disposed in above terms. No costs.

01.11.2023

Index:Yes/No  
Neutral Citation:Yes  
ssm

To

1.The Vice Chancellor  
The Tamilnadu Dr.M.G.R.Medical University,  
69, Annasalai, Guindy, Chennai – 600 032.

2.The Principal  
RVS Dental College and Hospital  
Kumaran Kottam Campus, Trichy Road,  
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DR. ANITA SUMANTH,J.

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