



WEB COPY

W.P.No.30089 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.30089 of 2023

Ravichandran

.. Petitioner

VS

1.The Selection Committee,
Director of Medical Education,
Kilpauk, Chennai – 600 010.

2.The Dean,
Adhiparaksakthi Dental College & Hospital,
Melmaruvathur,
Tamil Nadu – 603319

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing respondents to issue discontinuation certificate and consequently direct the 2nd respondent to return the original certificates and transfer certificate to the petitioner's daughter without insisting on the penalty fee.

For Petitioner : Ms.B.Keerthanaa

For Respondents : Ms.M.Sneha for R1
Mr.A.S.Balaji for r2

ORDER

This order is passed in the peculiar and specific facts of this case alone and cannot be taken as a precedent to other matters where similar prayer is sought.



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2. The petitioner is an individual, who is based in Neyveli.

His daughter had applied for the BDS course for academic year 2023-2024 having been passed the NEET examination. She was provisionally allotted the Government Quota seat in the second round of counselling in Adhiparasakthi Dental College & Hospital, Melmaruvathur on 07.08.2023.

3. The fee structure that has been fixed for Government Quota is a sum of Rs.2.5 lakhs per year. This amount is admitted, prominently displayed in all documentation and the prospectus also is clear and categoric to the effect that the ward is bound to continue in the seat opted for by her in the second round of counselling, which does not provide for any exit.

4. Be that as it may, the petitioner's ward joined the college on 11.08.2023 by paying admission fee of Rs.2,000/- only and submitted all her original certificates to the college. The petitioner has stated in affidavit that despite his best efforts to arrange the money to pay the tuition fee, he is unable to pay the same. A representation was made by him to the effect that his daughter is constrained to opt out of the course on account of the financial stringency.

5. Ms.Sneha, learned counsel, submits that the petitioner's ward had paid only a sum of Rs.2,000/- and nothing more. In these



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circumstances, I see no justification whatsoever for the college continuing to hold all the original certificates. Clearly, the child will be unable to pursue her education in any branch without being in possession of the original certificates.

6. She now wishes to joint the Homeopathy Course, for which, the last date for admission is 15.11.2023. The course fee is Rs.6000/- per year, Hence, there is a direction to R2 to return the original certificates forthwith to the petitioner to enable his ward to join the course of her choice, in time.

7. This writ petition stands allowed in terms of this order.

No costs.

10.11.2023

Index:Yes/No
Neutral Citation:Yes
ssm

To

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DR. ANITA SUMANTH,J.

ssm

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