



W.P.(MD)No.2943 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

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P.Kishorekumar

... Petitioner

-VS-

- 1.The Secretary,
Directorate of Medical Education,
162 EVR Periyar High Road,
Kilpauk, Chennai - 10.
 - 2.The Managing Director/Administration,
Ponnaiah Ramajeyam Institute of Medical Science (PRIMS),
Manamai, EVR Road,
Kancheepuram District - 603 102.
 - 3.The Managing Director/Administration,
Ponnaiah Ramajeyam Institute of Science and Technology,
Deemed University (PRIST),
Trichy-Thanjavur Road, Vallam Cafe Road,
Thanjavur District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to instruct the second respondent to consider the petitioner's representation dated 24.11.2020 to refund the petitioner's second year MBBS course fee



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Rs.6,75,000/- and caution deposit Rs.4,00,000/- (Total Rs.10,75,000/-) to the petitioner, within a time frame that may be stipulated by this Court.

For Petitioner : Mr.V.Palanichamy
For R1 : Mr.P.Thambidurai
Government Advocate
For R2 and R3 : Mr.K.K.Maheshraja

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the third respondent to instruct the second respondent to refund the MBBS course fee and caution deposit to the petitioner, within the time frame fixed by this Court.

2. The case of the petitioner is that he joined MBBS course in the second respondent Institution in the year 2016. He also completed the first year MBBS course in August, 2017. Thereafter, the petitioner paid the fees for the second year course to the second respondent. The course was never conducted and it came to light that the first respondent had taken action against the second respondent. In view of the same, 108 MBBS students approached this Court and by virtue of the orders passed by this Court, these



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students were re-located to some other Colleges. The petitioner had, in the meantime, paid the tuition fees and the caution deposit before the second respondent and was seeking for refund the same by making several representations. Since the same were not considered, the present Writ Petition has been filed before this Court.

3. When the matter came up for hearing on 16.10.2023, this Court passed the following order:-

"The learned counsel for the respondents 2 and 3 requests some more time to inform this Court as to whether the refund claimed by the petitioner was considered and was made to the petitioner, like that other 108 students, to whom such refund was made.

Post this case under the same caption on 07.11.2023."

4. When the matter was taken up for hearing today, the learned counsel appearing on behalf of the respondents 2 and 3 submitted that the petitioner can make the claim before the third respondent along with all the relevant documents and that the same will be considered as was done for the other students and if the refund has not already been made, the amount which the petitioner is entitled will be refunded.



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5. In the light of the above submission made by the learned counsel appearing on behalf of the respondents 2 and 3, there shall be a direction to the petitioner to make a fresh claim before the third respondent along with all the relevant documents and the third respondent shall act upon the same and make the refund on verification of the relevant documents, within a period of four weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

NCC : Yes/No
Index : Yes/No
smn2

07.11.2023

To

The Secretary,
Directorate of Medical Education,
162 EVR Periyar High Road,
Kilpauk, Chennai - 10.



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N.ANAND VENKATESH, J.

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