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W.P.(MD)No.12854 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12854 of 2019

Suriyanarayanan

... Petitioner

Vs.

1.The Director General of Health and Services,
Medical Examination Cell,
New Delhi.

2.The Director,
Indira Gandhi Dental College and SBV,
Pondichery.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 25.04.2019 and direct them to refund the sum of Rs.2,12,479.87/-.

For Petitioner : No appearance

For R1 : Mr.S.Jeyasingh
Standing Counsel

For R2 : Mr.L.Swaminathan

* * *



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ORDER

None appears for the writ petitioner.

2.The learned counsel for the writ petitioner is no more. But the petitioner has not made any alternative arrangements. There is no need to issue any fresh notice to the writ petitioner because the facts are fairly clear.

3.The petitioner has taken part in the NEET Counselling, took place during the academic year 2019. The petitioner was originally allotted a seat in the second respondent college. However, he did not join the same. The petitioner wants this Court to direct the second respondent to refund the sum of Rs.2,12,479.87/- paid by the petitioner.

4.The learned counsel for the second respondent clarifies that the petitioner never joined the second respondent college, even though he was allotted a seat. The security deposit of Rs.2 Lakhs paid by the writ petitioner never came to the account of the second respondent-college. The learned counsel for the second respondent has made available the relevant brochure. The relevant portion is as follows:



5.The learned standing counsel for the Government also clarified that a candidate who has been allotted a seat in the second round of counselling and has not joined, will be eligible for exit with forfeiture. Thus, the security amount of Rs.2,00,000/- remitted by the petitioner has been forfeited in the instant case.

6.In any event, relief has been sought only against the second respondent. This relief cannot be granted. This is because, the amount was never credited to the account of the second respondent-college.

7.Accordingly, this writ petition is dismissed. No costs.

09.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Director General of Health and Services,
Medical Examination Cell,
New Delhi.
- 2.The Director,
Indira Gandhi Dental College and SBV,
Pondichery.



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G.R.SWAMINATHAN, J.

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