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W.P.No.4948 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.4948 of 2023
and
W.M.P.Nos.12692, 6416 & 11269 of 2024 and
10460 & 15851 of 2023

P.Murugesan

... Petitioner

Vs.

1. The Dean, MGMCRI,
Mahatma Gandhi Medical College,
& Researching Institute,
Pondicherry.
2. G.M.-Admin MGMCRI,
Mahatma Gandhi Medical College
& Researching Institute,
Pondicherry.
3. Joint Secretary, (Medical Education,
Through Health Secretary,
Health and Family Welfare,
Nirman Bhavan, New Delhi.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Mandamus, directing the first respondent, the Dean, MGCMRI to issue the Hall Ticket, as per my representation submitted to Dean dated 27.01.2023.

For Petitioner

: Mr.K.Gajendiran

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For R1 : No appearance
For R2 : Mr.L.Swaminathan
For R3 : Mrs.R.Durgarani
Central Government Standing Counsel

ORDER

Mr.K.Gajendiran, learned Counsel appearing on behalf of the petitioner would submit that MOU was executed between the parties.

2. The said MOU of the Bilateral Meeting held on 20.04.2024, is extracted hereunder:

***“MOU OF THE BILATERAL MEETING HELD ON
20.04.2024 AT THE ADMINISTRATIVE BLOCK, SRI BALAJI
VIDYAPEETH, PONDICHERRY.***

PRESENT:

- 1) Mr.Ralph A.Matthews – Legal Officer & Head (HR), SBV
&
2) Dr.P.Murugesan, Father of M.Varsha*

*After detailed deliberations and bilateral discussions between
Mr. Ralph A. Matthews, Legal officer & Head (HR), SBV and
Dr. P. Murugesan father of M. Varsha-MBBS student (2018-
2019 batch) it has been decided between the Parties as*



follows:

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1.The Administration of the Mahatma Gandhi Medical College and Research Institute would be declaring the withheld results of M. Varsha (Daughter of Dr. P. Murugesan) for the Fourth year Main Examinations held in February 2023 and its supplementary Examinations Held in August 2023.

2.The Administration of the Mahatma Gandhi Medical College and Research Institute has agreed to Issue "No Due Certificate" to M. Varsha as requested by Dr. P. Murugesan through his Letter dated 26th January 2023 addressed to the Dean of the Mahatma Gandhi Medical College & Research Institute (MGMCRI).

3.Dr. P. Murugesan has agreed to withdraw the Writ Petition under WP No. 4948 of 2023 filed before the Hon'ble High Court, Madras, upon execution of this MOU as all the issues raised by Dr. P. Murugesan on behalf of his daughter M. Varsha in the said Writ Petition and the Connected WMP's has been amicably settled.

4.As per procedures, the Passed out student has to apply to the Tamil Nadu Medical Council, obtain Registration number for being eligible to do CRRI - House Surgeon and the same yardstick applies to M. Varsha. SO, It is for M. Varsha to approach Tamil Nadu Medical Council for her registration to become eligible to do CRRI-House Surgeon in the Medical College and once registration number is provided to the Medical College, M. Varsha will be permitted to do CRRI-House Surgeon, from the amount, already remitted by Varsha and submitted with Dean,



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MGMCRI vide her father's letter dated:10-10- 2023 along with the payment made ((BIL/NEFT/HS92328319185795/ Varsha/MS C MGMCRI/IDB000P042)Rs:10,000/- and NEFT/towards AHA BLS & ACLS Course Fee (BIL/NEFT/HS92328319190630/TMC Varsha/SRI BALAJI/IDB000P042) for Rs:1,600/- towards Tamil Nadu Medical Council Registration fee.

5.This MOU to be executed in Non-Judicial Stamp Paper, by Dean & GM Admin, on behalf of MGMCRI Management and Father - Dr.P.Murugesan& Daughter-Varsha M, on behalf of Student, and Further suggested that both the Legal Officer & Head (HR) Mr. Ralph Matthews & Mother of Student- Mrs. Vani Murugesan, can be signed as Witnesses in this MOU.

6.MGMCRI Management has fully understood the terms mentioned supra and agrees not to claim any more fees from Varsha and or her parents, till the time she is receiving her MB35 Degree in the fourth coming Convocation along with her MBBS Certificates including the Certificates already been deposited with MGMCRI by her at the time her Admission, upon her successful completion of CRRI & House surgeons and not to make any disputes with any courts of Law against Varsha and/or her parents.

7.Dr. P. Murugesan has also fully understood the terms mentioned supra and agrees not to raise any disputes before any courts of Law on the issues raised in WP No 4948/2023 and the Connected WMP's on behalf of his Daughter M. Varsha.

Sd/-

Dean, MGMCRI

Sd/-

General Manager (Admin)



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Sd/-

Dr.P.Murugesan (Father of Ms.Varsha)

Sd/-

M.Varsha (Student of 2018 – 2019 Batch, MGMCRI)

Witnesses:

Sd/-

1.Mr.Ralph A.Matthews

Legal Officer & head (HR)

2.Mrs.Vani Murugesan

W/o.M/o.Varsha M''

3. In this regard, the communication dated 25.04.2024 sent to the petitioner by the 2nd respondent is extracted hereunder:

“In view of the Minutes of Understanding reached on 20.04.2024 between Dr.P.Murugesan Father of Ms.Varsha and Ms.Varsha, M. MBBS 2018 Batch with Mahatma Gandhi Medical College and Research Institute, the Administration of the Mahatma Gandhi Medical College and Research Institute has agreed to return the three security cheques for the amount of Rs.57,29,000/- drawn on PNB, Agaram Branch, Tambaram Chennai, handed over to MGMCRI vide her father's letter dated 28.10.2022 mentioned below to Dr.P.Murugesan:

S.No.	Cheque No.	Date	Amount
1	748873	01/03/2023	Rs.2,29,000/-



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2	748874	03/10/2023	Rs.10,00,000/-
3	758875	03/31/2023	Rs.45,00,000/-

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4. In terms of MOU, the parties are at liberty to settle the issues.

Accordingly, the Writ Petition stands **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

26.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda

To

1. The Dean, MGMCRI,
Mahatma Gandhi Medical College,
& Researching Institute,
Pondicherry.
2. G.M.-Admin MGMCRI,
Mahatma Gandhi Medical College
& Researching Institute,
Pondicherry.



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S.M.SUBRAMANIAM,J.

veda

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