



WEB COPY



W.A.No.1859 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Writ Appeal No.1859 of 2021
and
C.M.P.No.11816 of 2021

M. Immaculate Jonna D/o. A. Michaelsamy

... Appellant / Petitioner

Vs.

1. The Secretary to the Government,
Health & Family Welfare Department,
St. George Fort,
Chennai – 600 009.
2. The Director of Medical Education,
Kilpauk,
Chennai – 600 010.
3. The Principal,
Government Dental College,
Chennai.

... Respondents / Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 21.01.2021 made in W.P.No.20163 of 2020.



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For Appellant : Mr. B. Kumarasamy

For Respondents : Mr. E. Sundaram,
Government Advocate.

J U D G M E N T

(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

The writ appeal has been filed challenging the order dated 21.01.2021 passed in W.P.No.20163 of 2020.

2. The petitioner secured admission for Post Graduate Course of MDS with the Tamil Nadu Government Dental College at Chennai. Since the petitioner secured admission at AIIMS, she discontinued the course at Tamil Nadu Government Dental College. At the time of discontinuation, she demanded original certificates from the administration and the Authorities asked the appellant to pay a sum of Rs.15,00,000 (Rupees fifteen lakhs only) towards discontinuation fees. It is not in dispute that the appellant has executed the bond and as per the bond condition, the appellant is liable to pay discontinuation fees.

3. Learned Single Judge considered the facts and the law laid down



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by the Hon'ble Supreme Court of India and dismissed the writ petition.

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4. We do not find any reason to interfere, since the fact regarding the admission to Post Graduation in Tamil Nadu Government College and the discontinuation of the course by the appellant has not been disputed.

5. Mr.B.Kumarasamy, learned Counsel appearing on behalf of the appellant would submit that the appellant has now completed the Post Graduation Course in AIIMS and practicing Dentistry, privately. Therefore, she may not be in a position to pay the sum of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) in one lumpsum and made a request to grant permission to the appellant to pay the said amount of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) in five (5) equal monthly installments.

6. Since the appellant has agreed to pay the amount in five (5) equal monthly installments, we are inclined to grant time to the appellant to settle the entire amount of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) in five (5) equal monthly installments, commencing from 1st July, 2024 to November, 2024. The installment amount shall be deposited with the respondents on or



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before 10th day of every English calendar month.

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7. With the above directions, the order dated 21.01.2021 made in W.P.No.20163 of 2020 is confirmed and the Writ Appeal stands disposed of. Consequently, connected miscellaneous petition stands closed.

[S.M.S.J.] [C.K.J.]
06.06.2024

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

1. The Secretary to the Government,
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Chennai – 600 009.
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S.M.SUBRAMANIAM,J.



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AND
C.KUMARAPPAN,J.

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Judgment in
W.A.No.1859 of 2021

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