



W.P.No.13896 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2024

CORAM :

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

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Nasaha TK

.. Petitioner

VS

- 1.The State of Tamil Nadu,
rep. by its Principal Secretary,
Health and Family Department,
Secretariat, Chennai-600 009.
- 2.Directorate of Medical Education,
rep. by its Director,
Kilpauk, Chennai-600 010.
- 3.Directorate of Public Health and Preventive Medicine,
rep. by its Director,
Chennai-6.
- 4.Stanley Medical College,
rep. by its Dean,
1, Old Jail Road, George Town,
Chennai-600 001.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to return the original certificates of the petitioner collected by the fourth



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respondent at the time of her admission.

For the Petitioner : Mr.E.Manoharan
For the Respondents : Mr.K.Thippusultan
Government Advocate

ORDER

Heard both sides.

2. The only prayer made in the writ petition is to direct the respondents to return the original certificates of the petitioner that were submitted at the time of admission in the fourth respondent college.

3. I have held that there cannot be any creation of lien over the educational certificates in terms of Section 171 of the Indian Contract Act, 1872. I, therefore, direct the fourth respondent to forthwith return the original certificates mentioned in the writ petition.



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4. The writ petition is allowed. There shall be no order as to costs.

24.05.2024

Index : Yes/No
Neutral Citation : Yes/No
bbr/ssa

To

- 1.The Principal Secretary,
State of Tamil Nadu,
Health and Family Department,
Secretariat, Chennai-600 009.
- 2.The Director,
Directorate of Medical Education,
Kilpauk, Chennai-600 010.
- 3.The Director,
Directorate of Public Health and Preventive Medicine,
Chennai-6.
- 4.The Dean,
Stanley Medical College,
1, Old Jail Road, George Town,
Chennai-600 001.



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G.R.SWAMINATHAN, J.

bbr/ssa

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