



WP No.14106 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2024

CORAM

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

WP No.14106 of 2024
WMP No.15299 of 2024

Dr.Pothugunta Saikrishna

: Petitioner

versus

1. The State of Tamil Nadu,
rep. by the Principal Secretary,
Health & Family Welfare Department,
Fort St. George, Chennai 600 009.
2. Directorate of Medical Education,
Rep. by the Director of Medical Education,
Kilpauk, Chennai 600 010.
3. Directorate of Public Health and Preventive
Medicine, Rep. by the Director of Public
Health and Preventive Medicine,
359, Anna Salai, Chennai 600 006.
4. The Dean,
Mohan Kumaramangalam Medical College,
Salem.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for



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issuance of a Writ of Mandamus directing the respondents 1 and 2 to direct the 4th respondent to return all the (1) original UG Certificate, (2) Original PG Degree Mark Sheets, (3) Original M.Ch.Degree Certificate and other original documents submitted by the petitioner at the time of his admission.

For Petitioner : Mr.P.Gnana Sekaran

For Respondents : Mr.E.Sundaram
Govt. Advocate

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents.

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 to the Post Graduate Medical Course 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 forthwith to return the



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original certificates mentioned in the writ petition.

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

Consequently, WMP No.15299 of 2024 is closed.

24.05.2024

Index : Yes/No

Neutral Citation : Yes/No

sra

To

1. The Principal Secretary to Govt. of Tamil Nadu,
Health & Family Welfare Department,
Fort St. George, Chennai 600 009.
2. The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai 600 010.
3. The Director of Public
Health and Preventive Medicine,
Directorate of Public Health and Preventive
Medicine, 359, Anna Salai, Chennai 600 006.
4. The Dean,
Mohan Kumaramangalam Medical College,
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G.R.SWAMINATHAN, J.

(sra)

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