



W.P.No.14183 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2024

CORAM :

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

W.P.No.14183 of 2024
and W.M.P.No.15372 of 2024

Dr.Abinaya A.D.

.. Petitioner

VS

1.The State of Tamil Nadu,
rep. by its Principal Secretary,
Health and Family Department,
Secretariat, Chennai-600 009.

2.The Directorate of Public Health and
Preventive Medicine,
Anna Salai, Teynampet,
Chennai – 600 086.

3.The Director of Medical and Rural Health Services,
Anna Salai, Chennai.

4.Directorate of Medical Education,
Kilpauk, Chennai – 600 010.

5.Madras Medical College,
EVR Periyar Salai, Park Town,
Chennai – 600 003.

.. Respondents



W.P.No.14183 of 2024

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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent to return all the original certificates of the petitioner that were submitted by her at the time of her admission to Post Graduation Degree Course of Master of Surgery – M.S. Ophthalmology in the 5th respondent college, within a time period.

For the Petitioner : Ms.S.Shanmitha

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 to the Post Graduate Medical Course in the fifth 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



W.P.No.14183 of 2024

Act, 1872. I, therefore, direct the fifth respondent to forthwith return the original certificates mentioned in the writ petition.

4. The writ petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

24.05.2024

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



W.P.No.14183 of 2024

To

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- 1.The Principal Secretary,
State of Tamil Nadu,
Health and Family Department,
Secretariat, Chennai-600 009.
- 2.The Directorate of Public Health and Preventive Medicine,
Anna Salai, Teynampet,
Chennai – 600 086.
- 3.The Director of Medical and Rural Health Services,
Anna Salai, Chennai.
- 4.Directorate of Medical Education,
Kilpauk, Chennai – 600 010.
- 5.Madras Medical College,
EVR Periyar Salai, Park Town,
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W.P.No.14183 of 2024

G.R.SWAMINATHAN, J.

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W.P.No.14183 of 2024

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