



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.M.P.No.36554 of 2025

in

W.P.No.32272 of 2024

1.S.Swaminathan,
S/o Subburayan,
No.1, 2nd Cross Street,
Podhigai Nagar, Navarkulam,
Lawspet, Pducherry 605 008.
2.S.Hinashree,
D/o Swaminathan,
No.1, 2nd Cross Street,
Podhigai Nagar, Navarkulam,
Lawspet, Puducherry 605 008.

Petitioner(s)

Vs

1.The Dental Council of India,
National Dental Commission Buildings,
Plot No.14, Sector-9,
R.K.Puram, New Delhi 110 022.

2.The Principal,
Mahe Institute of Dental Sciences & Hospital,
Chalakkara, Palloor,
Mahe 673 310.

3.The Dean,
Mahatma Gandhi Post Graduate Institute of Dental Sciences,
Puducherry 605 006.

Respondent(s)

For Petitioner(s):
For Respondents

Mr.M.Gnanasekar
M/s.Subramanian Vaidyanathan
for R1
Mr.V.Vasanthakumar, Addl.G.P.



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for R2
No appearance for R3

ORDER

Heard Mr.M.Gnanasekar, learned counsel for the petitioners and Mr.Subramanian Vaidyanathan, learned counsel for the first respondent and Mr.V.Vasanthakumar, learned Additional Government Pleader for the second respondent.

2.The prayer in the writ petition was originally made for Mandamus directing the first respondent to permit the migration of the first petitioner's daughter, S.Hinashree, studying in the second year BDS from the second respondent college namely, Mahe Institute of Dental Sciences & Hospital, Chalakkara, Palloor, Mahe, to the third respondent-Institute namely, Mahatma Gandhi Post Graduate Institute of Dental Sciences, Puducherry.

3. It is stated that pursuant to the order in the writ petition, an order has now been passed by the first respondent permitting such migration. However, now, there is a change of mind for the petitioner. Since the transfer also comes with the condition that the petitioner shall go and again join in the second year, it may result in a loss of career for the petitioner. Therefore, the petitioner, inspite of the issue with reference to local guardian, wants to continue her



studies at the second respondent college. As a matter of fact, the petitioner is continuing in the second respondent college till day. The petitioner, in effect wants to withdraw the original writ petition prayer and continue her studies in the second respondent-college itself.

4. Learned counsel appearing on behalf the first respondent-Dental Council of India would submit that the order itself was passed only on the prayer of the petitioner. Now, if the second respondent-Institute has no objection and the petitioner wants to go back from the initial prayer, the first respondent-Council will not have any objection with reference to the same.

5. In view thereof, since there is no objection from the second respondent Institute and the petitioner's daughter has been continuing her studies in the second respondent college till date, I am of the view that the limited relief, that is prayed for in this Miscellaneous Petition, can be granted and this petition is ordered, on the following terms:

(i)The order dated 19.03.2025 passed in W.P.No.32272 of 2024 is recalled.

(ii)The first respondent is directed to permit the petitioner's daughter namely, S.Hinashree, to continue her studies in the second respondent college itself as usual.

(iii)The prayer original made in the writ petition is deemed to have been



not pressed.

(iv)The authority shall act upon the web copy of the order without waiting for the certified copy of this order. No costs.

16.12.2025

Neutral citation:no

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To

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Mahe 673 310.

3.The Dean,
Mahatma Gandhi Post Graduate Institute of Dental Sciences,
Puducherry 605 006.

4.The Government Pleader, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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