



W.P.No. 1758 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P No. 1758 of 2024

and

WMP.Nos. 1811 & 1820 of 2024

Dr. Manoj

..Petitioner

Vs

1. The Secretary,
Selection Committee
Directorate of Medical Education
PG Medical Course in Management Quota
(Session 2022-2023)
Kilpauk, Chennai-600010)

2.The Secretary,
Trichy SRM Medical College Hospital &
Research Centre,
Trichy-621105.

..Respondents

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the orders in Ref. No.1730/SCSII(1)/2023 dated 12.05.2023, on the file of the 1st respondent, quash the same and to direct the 1st respondent to forthwith refund the sum of Rs.13,50,000/- (Rupees Thirteen Lakhs Fifty Thousand Only) paid by the petitioner on 30.11.2022 (A.R No.12545, Name MANOJ RAVI, Track ID 0337872249627, Transaction ID 2260007722, Fee Type Tution, Portal SBI and to pass such other further order or orders.



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For Petitioner : Mr.G.Balasubramanian
For Respondent : Mrs. M.Sneha, Standing Counsel – R1
Mrs.P.R.Umamaheswari, Standing
Counsel- R2

ORDER

Writ petition has been filed challenging the order dated 12.05.2023 passed by the 1st respondent, thereby rejecting the request made by the petitioner to refund the sum of Rs.13,50,000/- (Rupees Thirteen Lakhs Fifty Thousand Only).

Brief facts of the case:

2.1. The petitioner was provisionally allotted a seat in M.D. Anesthesiology under the Management Quota for the academic session 2022–2023, based on the option exercised by him. He was declared successful in the Mop-up Counseling held on 29.11.2022, and in compliance with the instructions of the 1st respondent, he remitted a sum of Rs.13,50,000/- towards tuition fees and received the provisional allotment order. On 30.11.2022, at about 4.30 p.m., the petitioner reported to the 2nd respondent–College. It is alleged that he was directed either to pay an additional sum of Rs.8,00,000/- per annum over and above the fee fixed by the Fee Committee or to give an undertaking not to claim stipend for three years. As the petitioner did not accept



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the said condition, he lodged a complaint before the Selection Committee on 01.12.2022.

2.2. In the enquiry conducted, the 2nd respondent–College denied the allegation and stated that the petitioner was not asked to pay any amount other than hostel and mess charges. Based on this explanation, the Fee Committee closed the complaint on 11.02.2023, granting liberty to the petitioner to approach the 1st respondent for redressal. By then, the petitioner had not joined the 2nd respondent–College, and the seat allotted to him was subsequently filled up by the College.

2.3. Pursuant thereto, the petitioner sought refund of the tuition fee from the 1st respondent. However, the same was rejected by order dated 12.05.2023, citing Clause 23(ii) of the Prospectus, which states that if a candidate discontinues/does not join the course after completion of Round II of Online Counselling, the Processing Fee, Security Deposit, and Tuition Fee paid shall stand forfeited. Challenging the same, the present writ petition has been filed.

3. Learned counsel for the petitioner submitted that the petitioner could



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not join the 2nd respondent–College in time since his complaint was pending before the Fee Committee and was concluded only on 11.02.2023. He contended that the petitioner was prevented from joining the course not due to his own fault but on account of the delay in disposal of the complaint.

4. Learned counsel for the petitioner further submitted that since the seat was subsequently filled by the 2nd respondent–College, neither the 1st respondent nor the 2nd respondent has suffered any loss, and therefore, the forfeiture clause under Clause 23(ii) of the Prospectus cannot be applied to the petitioner's case. The petitioner, at the highest, may not be entitled to refund of the Processing Fee and Security Deposit, but he is certainly entitled to refund of the Tuition Fee paid.

5. Per contra, learned counsel for the respondents submitted that in terms of Clause 23(ii) of the Prospectus, once a candidate fails to join the course after allotment, the entire amount paid, including the Tuition Fee, is liable to be forfeited. The petitioner, having failed to report and join the course after the provisional allotment, is bound by the terms of the Prospectus. Therefore, the rejection of the petitioner's request for refund is valid and does not warrant



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interference.

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6. On a perusal of the records, it is clear that the petitioner, though provisionally allotted a seat on 30.11.2022, did not join the 2nd respondent–College. Instead, he lodged a complaint before the Fee Committee on the very next day. The Fee Committee, based on the explanation of the 2nd respondent–College, closed the complaint only on 11.02.2023, granting liberty to the petitioner to seek redressal before the 1st respondent.

7. In the interregnum, the seat allotted to the petitioner was filled by the 2nd respondent–College, resulting in no loss either to the 1st respondent or to the 2nd respondent. In such circumstances, invoking Clause 23(ii) of the Prospectus to forfeit the entire tuition fee would not be justified. At the same time, the petitioner would not be entitled to refund of the Processing Fee, as specifically barred under the Prospectus.

8. In view of the above discussion, the impugned order dated 12.05.2023 passed by the 1st respondent cannot be sustained and is set aside. The writ petition is **allowed**. The 1st respondent is directed to refund the sum of Rs.13,50,000/- (Rupees Thirteen Lakhs Fifty Thousand only) paid by the petitioner towards Tuition Fee, within a period of four (4) weeks from the date



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of receipt of a copy of this order.

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9. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

17.09.2025

Index : Yes/No

Internet : Yes/No

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To

The Secretary,

Selection Committee

Directorate of Medical Education

PG Medical Course in Management Quota

(Session 2022-2023)

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G.K.ILANTHIRAIYAN, J.

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