



WEB COPY

WP No. 42252 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 42252 of 2025

1. INDIRA

W/o Raja, Ampalli Village And
Post, Bargur Taluk Krishnagiri
District

Petitioner(s)

Vs

1. The Director

Directorate Of Indian Medicine
And Homeopathy, Aringar Anna
Government Hospital Of Indian
Medicine Campus, Arumbakkam
Chennai 106

2.The Principal

Sivaraj Naturopathy And Yoga
Medical College , Siddhar Kovil
Road, Thubathulipatty, Salem
District

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the
issuance of writ of Mandamus directing the 2nd respondent to return
the Transfer Certificate of petitioner daughter namely R.Unnamalai



holding by the 2nd respondent Institution in pursuant of the representation dated 22.08.2025 and pass orders.

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For Petitioner(s): Mr.P.Muthamizh
Selvakumar
For Mr.K.Tippu Sultan
Respondent(s): Government Advocate for
R1
Ms.Adithya Shri for R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to return the transfer certificate of the petitioner's daughter by considering the representation made by the petitioner on 22.08.2025.

2. Heard Mr.P.Muthamizh, learned counsel for the petitioner and Mr.K.Tippu Sultan, learned Government Advocate for 1st respondent and Ms.Adhithya Shri, learned counsel for 2nd respondent.

3. The case of the petitioner is that her daughter had applied for the BYNS Medical Degree Course during the academic year 2024-2025. Counselling was conducted by the 1st respondent and the



petitioner's daughter was given admission in the 2nd respondent institution.

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4. The petitioner's daughter was not interested in continuing her studies in the 2nd respondent institution and therefore, requested for returning back the certificates including the transfer certificate, mark statement, community certificate etc., Since the representation submitted by the petitioner was not considered, the present writ petition came to be filed before this Court.

5. The learned counsel appearing on behalf of the 2nd respondent submitted that the relief sought for by the petitioner can be granted only if such a permission is granted by the 1st respondent.

6. The learned Government Advocate appearing on behalf of the 1st respondent produced the written instructions received from the Commissioner of Indian Medicine and Homeopathy. For proper appreciation, the relevant portions are extracted hereunder:-

2. In this connection, it is stated that Secretary, Selection Committee Counselling Authority for admission to Undergraduate/Postgraduate Medical Degree Directorate of Indian Medicine and Homoeopathy, Chennai is the designated State Courses in AYUSH (Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy) in the State



of Tamil Nadu As such, the Designated State Counselling Authority viz. the Secretary, Selection Committee of this Department had conducted admission and selection process for admission to AYUSH Courses for the academic year 2024-2025. The Government (Health and Family Welfare Department) has approved the Prospectus for admission to B.N.Y.S. Course under Government quota seats in Self-Financing Yoga & Naturopathy Medical Colleges in the State of Tamil Nadu for the academic session 2024-2025 vide G.O. (D) No.606, Health and Family Welfare Department dt. 10.06.2024. As per the Clause 23 of the approved Prospectus for Government and Government Surrendered seats for B.N.Y.S. Medical Degree Course for the academic year 2024-2025-

Discontinuation Fees: (i) Candidates selected for admission and his/her parent/guardian will have to execute an Agreement Bond as prescribed in Appendix-V. Failure to execute the Agreement Bond will lead to cancellation of selection.

(ii) Candidates who discontinue the course on or after the last cut off date for admission process for the academic session 2024-2025 and on any date of the subsequent year are bound by the bond and thereby, they shall have to pay a Sum of Rs.1,00,000/- (Rupees One lakh only) as penalty for having breaching the contract in the bond by means of Demand Draft drawn in favour of "the Director of Indian Medicine and Homoeopathy, Chennai-106" payable at Chennai.

Note

This Penalty is only for candidates who discontinue the course and not for those candidates who seek re-allotment



and movement from one to another college.

Hence, I am to state that the petitioner have to pay the penalty of Rs.1,00,000/- (Rupees one lakh only) for having breached the Bond, as per clause 23 of the Prospectus for Government and Seats surrendered to Government in Self Financing Yoga and Naturopathy Medical colleges for the academic year 2024-2025 so as to get relieved from the college.

7. It is clear from the above that if the petitioner's daughter pays the penalty of Rs.1,00,000/- for having breached clause 23 of the bond, she can get back the certificates from the 2nd respondent.

8. The learned counsel for the petitioner submitted that the petitioner's daughter will pay the penalty and thereafter, get back the certificates from the 2nd respondent.

9. In view of the above, it is left open to the petitioner to pay the penalty of Rs.1,00,000/- in favour of the 1st respondent and on complying with the same, the 2nd respondent shall issue a transfer certificate to the petitioner's daughter and all the other original certificates that were surrendered by the petitioner at the time of admission.



10. This writ petition is disposed of with the above directions.

No costs.

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

Note : Issue order copy on 24.11.2025



To

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