



W.P.(MD)No.15968 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15968 of 2024

S.Shobana

: Petitioner

Vs.

1. University Grants Commission,
Rep. by its Secretary,
Bahadursha Zafar Marg,
New Delhi-110002.

2. The Medical Council of India,
Rep. by its Secretary,
Pocket-14, Sector-8,
Dwaraka Phase-I,
New Delhi - 110 007.

3. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai.

4. The Director of Medical Education,
162, Periyar E.V.R.High Road,
Kilpauk, Chennai-600010
(R3 and R4 are deleted vide Court order dated
18.07.2024 in WP(MD) No.15968 of 2024)



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5. The Dean,
VELS Medical College and Hospital,
Under Vistas (Deemed to be University),
Manjankaranai Village,
Uthukottai Taluk,
Tiruvallur District - 601102.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondent No.4 to direct the Respondent No.5 to return the petitioner son named Sachin Prabhus original certificates and documents (Birth Certificate, Class XII Pass Certificate, Class XI Pass Certificate, Class X Pass Certificate, Transfer Certificate, Bonafide Certificate, Conduct Certificate, Community Certificate) in accordance with law within the time stipulated by this Honourable Court.

For Petitioner : Mr.Saha A.V

For Respondents : Mr.V.Omprakash

Government Advocate for R3 & R4

(R3 and R4 are deleted

vide Court order dated 18.07.2024)

R5 – Tapal due

ORDER

The petitioner seeks for a direction to the fifth respondent to instruct the third respondent to return the original certificates of the son of the petitioner.



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2. Heard the learned counsel for the petitioner.

3. The petitioner's son enrolled in the fifth respondent college for the medical course in the academic year 2022–2023, paying all requisite tuition and other fees. Due to her son's illness, he was unable to continue his education since 15.12.2023. Therefore, he requested for return of his original certificates. However, the fifth respondent college has withheld the certificates, demanding payment of the entire course fee for the remaining years of the course. Aggrieved by this, the petitioner has filed the present writ petition.

4. Since the issue is squarely covered by the order of this Court in W.P.(MD) No.34541 of 2023 dated 21.03.2024 (***Shamitha v. The Vice-Chancellor, Kalasalingam Academy of Education and Research***), this writ petition is disposed of with a direction to the respondents 1 and 2 to instruct the fifth respondent to return the original certificates to the petitioner as and when he presents himself before the College. However, liberty is granted to the college to take measures to recover the monetary outstanding, if any, in accordance with law.



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5. This Writ Petition stands disposed of in the above terms.

No costs.

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Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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