



W.A.No.737 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.737 of 2026

&

C.M.P.No.7501 of 2026

The Dean
Sri Muthukumaran Medical College
Hospital and Research Institute
Chikkarayapuram
Near Managadu,
Chennai - 600 069.

.. Appellant

Vs.

1. T.Balaji
S/o. Thiruvenkadam
No.4B, 2nd Street, Sivagami Nagar
Hathinapuram, Chrompet,
Chennai - 600064.
2. The State of Tamil Nadu
Rep. by the Principal Secretary to Government
Health Medical Education and Family Welfare
Secretariat, Fort St. George
Chennai-600009.
3. The Director of Medical Education
Department of Medical Education
Kilpauk, Chennai-600 010.

.. Respondents



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Prayer :Appeal filed under Clause 15 of the Letters Patent seeking to set aside the order dated 22.09.2025 passed in W.P.No.28252 of 2025.

For Appellant : Mr.M.Syed Anwar

For Respondent : Mr.V.Sivaraman for R1
Mr.K.Kumaran
Government Pleader for R2 & R3

JUDGMENT

(Judgment of the Court was delivered by
the Hon'ble Chief Justice)

This appeal has been filed under Clause 15 of the Letters Patent challenging the order dated 22.09.2025 passed in W.P.No.28252 of 2025, whereby, the writ petition filed by first respondent was allowed.

2. The brief facts of the case are that first respondent's daughter pursued her M.B.B.S. Course in the appellant College, by paying a sum of Rs.12,75,000/- and other necessary fees for the first academic year, through bank loan. She failed to clear the examinations for the first academic year despite several attempts. The grievance of first



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respondent was that he was compelled to pay second year fees to the tune of Rs.18,75,000/- and Rs.37,500/- towards development fees and other fees. First respondent also paid a sum of Rs.1,50,000/- for the subsequent attempts in the first years M.B.B.S. examination. Since first respondent had availed educational loan, the bank sanctioned fees for the second academic year also, as requested by appellant College. However, daughter of first respondent was not permitted into second academic year classes. Therefore, first respondent requested for refund of the same. As appellant did not consider the request, first respondent filed the writ petition.

3. The learned Single Judge, allowed the writ petition, by holding as under:

"9. On perusal of the records, it is revealed that the petitioner had paid a sum of Rs.1,50,000/- on 24.01.2022 as arrears fees. It shows that only to re-do the particular subject paper, the petitioner's daughter was collected with a sum of Rs.1,50,000/- as arrears fees. That apart, the petitioner also paid the examination fee for each and every attempts. Apart from those fees, the petitioner was collected a sum of Rs. 18,75,000/- as tuition fees and Rs.37,500/- as development fees for the second year of the MBBS course. When the



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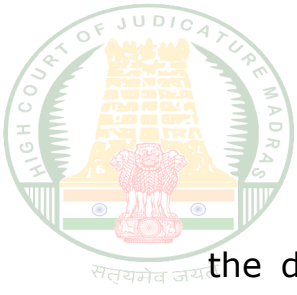
petitioner's daughter did not complete the first year papers, she cannot enter into the second year course. Therefore, the collection of fees for the second year does not arise.

10. However, the third respondent had collected fees to the tune of Rs.18,75,000/- as tuition fee and Rs.37,500/- as development fees for the second year course in the MBBS decree. In order to re-do the first year arrear paper, the petitioner had already paid a sum of Rs.1,50,000/- apart from the examination fee. Therefore, the third respondent ought not to have collected the tuition fees for the second year MBBS Course.

11. In view of the above discussions, the third respondent is directed to refund a sum of Rs.19,12,500/- to the petitioner forthwith. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs."

4. Learned counsel for appellant submitted that the daughter of first respondent underwent first year course again and therefore, the fees paid towards the second academic year has been adjusted and accordingly, first respondent is not liable to get refund of the second year fees.

5. The learned Single Judge came to the conclusion that since



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the daughter of first respondent was permitted to re-do the first year papers, for which, she had already paid a sum of Rs.1,50,000/- apart from the examination fees, appellant ought not to have collected tuition fees for the second year.

6. We have heard learned counsel for parties and perused the records.

7. We find that there is no material available on record to show that the daughter of first respondent underwent first year course again and that there is no provision under the Rules to charge the second year fees even if the student is not allowed to pursue second year course.

8. In view of the aforesaid, appellant could not have retained the fees. We do not find any error or illegality in the order passed by the learned Single Judge.



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9. The writ appeal, being bereft of merits and substance, is dismissed. There shall be no order as to costs. Consequently, the interim application is also dismissed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
18.06.2026

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Principal Secretary to Government
Health Medical Education and Family Welfare
Secretariat, Fort St. George
Chennai-600009.
2. The Director of Medical Education
Department of Medical Education
Kilpauk, Chennai-600 010.



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THE HON'BLE CHIEF JUSTICE
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