



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 6916 of 2026

H.Fameena

..Petitioner

Vs

1. The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai.
2. The Secretary,
Selection Committee,
Directorate of Medical Education,
Kilpauk, Chennai.
3. The Dean,
Thanjavur Medical College,
Thanjavur – 4.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the Respondents to return all the original documents of the petitioner including Birth Certificate, Community Certificate, Transfer Certificate issued by her last studied institution, X Standard Mark Statement, XII Standard Mark Statement, etc., being withheld by the third respondent.

For Petitioner:

Ms.K.Nithyasree

For Respondents:

Mr.E.Sundaram

Government Advocate for R1 & R3

Ms.N.Sneha for R2



ORDER

The writ petition is filed for a mandamus directing the respondents to return all the original documents of the petitioner, including the Birth Certificate, Community Certificate, Transfer Certificate, X Standard Mark Statement, XII Standard Mark Statement, etc., collected from her, which are now being withheld by the 3rd respondent.

2. The case of the petitioner is that she joined B.Sc. Respiratory Therapy at Thanjavur Medical College and paid the annual tuition fee on 21.02.2021. During COVID-19, even though the classes started in August 2021, the petitioner's family suffered adversely and she was not able to pay the hostel fee and therefore she was sent out of the hostel. The maternal grandmother, who was supporting the family also suffered from cancer and could not continue the support. Under the said circumstances, the petitioner could not continue her education and therefore sought return of the certificates. However, by seeking a sum of Rs.1,00,000/- by way of penalty, the certificates are withheld.

3. *Mr.E.Sundaram*, the learned Government Advocate takes notice for the first and third respondents and he would submit that the certificates can be returned only after compliance with the requisite rules and only if the college has no objection.



4. I have considered the rival submissions made on either side and perused the material records of the case.

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5. When the discontinuance itself is on account of the grave financial situation, the certificates of the petitioner cannot be withheld. It has already been held that unless there is a specific contract or an enabling provision of law, even if the petitioner has to pay any penalty or fee, the same has to be recovered in the manner known to law and the educational certificates need not be withheld for the said purpose. It is also made clear that as and when any recovery proceedings are initiated, the petitioner can plead about her personal position at the relevant point of time.

6. In view thereof, this writ petition is ***ordered*** on the following terms:

The third respondent is directed to return all the educational certificates of the petitioner, including the 10th and 12th mark sheets, birth certificate, transfer certificate, Community Certificate or any other original document obtained from the petitioner, within two weeks from the date of receipt of a web copy of this order, without waiting for the certified copy of the order. No costs.

27-02-2026

Neutral Citation: Yes/No

NSL



To

1. The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai.

2. The Secretary,
Selection Committee,
Directorate of Medical Education,
Kilpauk, Chennai.

3. The Dean,
Thanjavur Medical College,
Thanjavur – 4.



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D.BHARATHA CHAKRAVARTHY, J.

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