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W.P.No.49758 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Orders reserved on : 16.02.2026

Orders pronounced on : **09.03.2026**

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.49758 of 2025
and W.M.P.No.55643 of 2025

M.Meena Vignesh

.. Petitioner

Versus

1. The State of Tamil Nadu,
Rep. by its Secretary, Ministry of Health
& Family Welfare,
Namakkal Kavingar Maaligai,
Fort St. George,
Chennai – 600 009.
 2. The Director,
Directorate of Medical Education,
No.162, Periyar E.V.R. High Road,
Kilpauk, Chennai – 600 010.
 3. The Registrar,
The Tamil Nadu Dr MGR Medical University,
No.69, Anna Salai,
Guindy,
Chennai – 600 032.
 4. The Dean,
JKKN Dental College and Hospital,
Natarajapuram, Kumarapalayam,
Namakkal District – 638 183.
- .. Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Declaration, declaring the clause (6) in Agreement bond, dated 11.09.2023 executed by the petitioner at the time of admission to the respondent No.4 college as null and void, not binding on the petitioner as he discontinued the course.

For Petitioner : Ms.B.N.Sinega

For Respondent : Mr.E.Sundaram,
Government Advocate for R1

: Mrs.M.Sneha, Standing Counsel for R2

: Mrs.C.Latharani, Standing Counsel for R3

: Mr.N.Manokaran, for R4

ORDER

This Writ Petition is filed for a Writ of declaration declaring clause (6) in the bond agreement dated 11.09.2023, executed by the petitioner at the time of admission to the fourth respondent college, as null and void and not binding on the petitioner, as he discontinued the course.

2. The petitioner, upon completing XII standard and scoring 409 marks in the NEET examination, secured admission in the fourth respondent college, namely, JKKN Dental College and Hospital,



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Natarajapuram, Kumarapalayam, Namakkal district, for the academic year 2023-2024. The petitioner had attempted to commit suicide on 27.08.2024. He had to spend a large sum of more than Rs.6,00,000/- for protracted treatment and, afterwards, he rejoined the college. Again, being unable to cope with the academic pressure, the petitioner attempted to commit suicide by hanging in the hospital room and was rescued by his classmates. Thereafter, he discontinued the course and enrolled in a B.Tech., Engineering course at another institution. When the other institution demanded the production of original documents, the petitioner approached the fourth respondent college. The college refused to hand over the original documents, and therefore, the petitioner is before this Court.

3. Even though the petitioner sought larger relief, considering the judgment of the Hon'ble Supreme Court of India in *Association of Medical Super Speciality Aspirants and Residents Vs. Union of India and Ors.*¹, the learned Counsel argued only for the return of the certificates. The learned Counsel highlighted the extreme circumstances where the petitioner was initially helped by his grandmother and, due to

¹ (2019) 8 SCC 607



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depression and medical expenses, the petitioner had to undergo treatment.

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4. In reply thereto, the learned Counsel for the fourth respondent would cite the Division Bench judgment of this Court in ***Director of Medical Education and Anr. Vs. M. Aarthy***² in support of the proposition that the original certificates can be returned only if the bond amount is paid by the petitioner. Under the said circumstances, both sides' learned Counsel presented the judgments for and on behalf of the proposition and emphasised their respective points.

5. The point for consideration is that whether the petitioner will be entitled for return of the original certificates without payment of the bond amount.

6. In this regard, the relevant clauses in the bond are extracted hereunder for ready reference:-

“(6) The candidates who discontinue the course on or after the cut-off date fixed by the National Medical Commission/Dental Council of India (Which will be Intimated later) of the year of admission and in any date of subsequent years should be pay a sum of Rs.10,00,000/- (Rupees Ten Lakh Only) as penalty.

(7) Any sum falling due from the candidate under this agreement shall be recovered from him/her as an arrear of land revenue.”

² 2019 SCC OnLine Mad 28115



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Thus, it can be seen that the bond has been held to be valid by the Hon'ble Supreme Court of India and the amount has to be paid by the petitioner and upon failure thereof, it can be collected as arrears of land revenue.

7. With reference to the return of certificates, as in the case of the petitioner, it must be seen that a later division Bench judgment in ***Dr.Nirmal M. Vs. The State of Tamilnadu and Ors. (W.A. No. 2256 of 2022)*** ordered that the certificates are to be returned. This is not a case of medical bond service where there are express clauses in the prospectus to retain the certificates. This is an extreme case of the petitioner being unwell, and the facts are stated *supra*. Under the conditions, the petitioner must be helped, encouraged and aided to use his learning/education, for there can be no damage to the same ("கேடில் விழுச் செல்வம்") and that it should come to his rescue always ("கல்வி ஒருவற் கெழுமையும் ஏமாப் படைத்து"). It is to be noted here that bearing the principles in mind, even the University Grants Commission, while framing the University Grants Commission (Grievance Redressal) Regulations, 2018, had included withholding of documents within the definition of the term 'grievances'



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under Regulation 2(f).

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8. In view thereof, this Writ Petition is disposed of on the following terms:-

(i) The prayer of the petitioner to declare the clause (6) in the agreement bond, dated 11.09.2023 as illegal stands rejected. The college authorities will be entitled to recover the sum due from the student as if there were arrears of land revenue.

(ii) However, the certificates/documents of the petitioner should be returned within one week from the date of receipt of the web copy of the Order without waiting for a certified copy of this order.

(iii) There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

09.03.2026

Neutral Citation : yes
grs

To

1. The Secretary,
Ministry of Health & Family Welfare,
Namakkal Kavingar Maaligai,
Fort St. George,
Chennai – 600 009.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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