



W.P(MD)No.9908 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.9908 of 2026

R.Jerushlin

.. Petitioner

Vs

- 1.The Additional Chief Secretary to Government,
Health & Family Welfare Department,
Chennai - 600 009.
- 2.The Director of Medical Education and Research,
O/o the Directorate of Medical Education and Research,
Keezhpauk, Chennai.
- 3.The Selection Committee,
rep. by its Secretary,
Directorate of Medical Education and Research,
Keezhpauk, Chennai.
- 4.Madha Medical College and Research Institute,
rep. by its Chairman,
Kovur, Chennai - 600 128.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to refund the tuition fee to the tune of Rs.24,50,000/- paid by the petitioner on 31.8.2024 vide ID 248700792 and further security deposit to the tune of Rs.1,01,000/- on 22.08.2024 vide ID 248916845 within the time period that may be fixed by this court.



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For Petitioner : Mrs.H.Jasima Yasmin for
M/s Ajmal Associates

For Respondents : Mr.N.Ramesh Arumugam
Govt. Advocate for R1 and R2

M/s M.Sneha for R3

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to refund the tuition fee of Rs. 24,50,000/- and the security deposit of Rs.1,01,000/-.

2. The petitioner, a Non-Resident Indian, appeared for the National Eligibility-cum-Entrance Test (NEET) in the year 2024 and secured 173 marks. Pursuant to the notification dated 31.07.2024 issued by the third respondent for participation in the counselling process for allotment of seats under the Tamil Nadu State UG (MBBS/BDS) Counselling 2024–2025, the petitioner participated in the counselling process. Based on the Non-Resident Indian (NRI) certificate uploaded, the petitioner was allotted an MBBS seat in the fourth respondent college under the NRI category.

3. Prior to counselling, the petitioner had uploaded all requisite documents, including the NRI certificate. Subsequently, on



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31.08.2024, the petitioner paid a sum of Rs.24,50,000/- towards tuition fees and Rs.1,01,000/- towards security deposit, and joined the course on 14.10.2024. Thereafter, it came to light that the admission under the NRI category had been obtained on the basis of a fraudulent NRI certificate. Consequently, the petitioner's admission was cancelled and criminal prosecution was initiated against the petitioner as well as the fourth respondent college.

4. The learned counsel for the petitioner submitted that the Prospectus issued by the third respondent does not provide for forfeiture of tuition fees, but only for forfeiture of the security deposit in cases where admission is cancelled on account of submission of false documents. Hence, the refusal of the second respondent to refund the sum of Rs.24,50,000/- is arbitrary and discriminatory.

5. Per contra, the learned counsel for the third respondent, by drawing attention to the Prospectus, submitted that the petitioner, by furnishing a forged NRI certificate, rendered the admission liable to forfeiture. Consequently, the admission of the petitioner in the fourth respondent college stands forfeited, including the tuition fees. It was therefore contended that the petitioner is not entitled to refund of the tuition fees and that the writ petition is devoid of merits.



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6. The submissions of the learned counsel on either side have been duly considered.

7. Admittedly, the NRI certificate uploaded by the petitioner during counselling was found to be forged, and accordingly, the admission was cancelled by invoking Clause 10(IV)(a) of the Prospectus. Clause 10 stipulates that if any information furnished by the candidate is found to be false, the admission shall stand forfeited irrespective of the stage at which such discrepancy is detected. Clause 8(xii) further provides that in cases where documents produced by NRI candidates are found to be false, criminal action shall be initiated and the allotted seat shall be cancelled.

8. Clause (f) of the Disclaimer provides that the security deposit shall be forfeited if a candidate fails to join the institution after allotment or if the admission is cancelled for any reason.

9. In the present case, upon cancellation of the petitioner's admission, the seat was filled up in subsequent counselling. Forfeiture of tuition fees is penal in nature and must be supported by a specific provision in the Prospectus, particularly in cases where



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admission is cancelled on account of submission of false information.

In the absence of any explicit provision providing for forfeiture of tuition fees, except in respect of the security deposit, the denial of refund of the tuition fees to the petitioner is arbitrary and unsustainable.

10. Accordingly, the writ petition is allowed. The second respondent is directed to refund a sum of Rs.24,50,000/- paid by the petitioner towards tuition fees, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

09.04.2026

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

- 1.The Additional Chief Secretary to Government,
Health & Family Welfare Department,
Chennai - 600 009.
- 2.The Director of Medical Education and Research,
O/o the Directorate of Medical Education and Research,
Keezhpauk, Chennai.
- 3.The Secretary
Selection Committee,
Directorate of Medical Education and Research,
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HEMANT CHANDANGOUDAR, J.

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