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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WMP No. 51240 of 2026
IN
WP NO. 15159 OF 2026

1.The Government of Puducherry
Rep. by its Under secretary to
Government (Health)
Chief Secretariat Health II, Puducherry.

2.The Fee Committee for Private Professional
Colleges in Puducherry
O/o the District Collectorate, I - Floor,
New Collectorate Building, Vazhudavoor Road,
Pettaiyanchathiram, Puducherry -605009

..Petitioner(s)

Vs

1.Sri Venkateshwaraa Medical College Hospital
and Research Centre
Represented by its Chairman,
No. 13-A, Pondy-Villupuram Main Road,
Ariyur, Puducherry 605 102.

2.Sri Venkateshwaraa Dental College
Represented by its Chairman,
No. 13-A, Pondy-Villupuram Main Road,
Ariyur, Puducherry 605 102

..Respondent(s)

WP No. 15159 of 2026

1.Sri Venkateshwaraa Medical College Hospital
and Research Centre,
Represented by its Chairman,
No. 13-A, Pondy-Villupuram Main Road,
Ariyur, Puducherry 605 102

2.Sri Venkateshwaraa Dental College,
Represented by its Chairman, Appellant(s)

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No. 13-A, Pondy-Villupuram Main Road,
Ariyur, Puducherry 605 102

Vs

1.The Government of Puducherry,
Represented by its Under Secretary to Government
(Health),
Chief Secretariat (Health II), Puducherry.

2.The Fee Committee for Private Professional
Colleges in Puducherry,
O/o the District Collectorate, I - Floor,
New Collectorate Building, Vazhudavoor Road,
Pettaiyanchathiram, Puducherry -605009

Respondent(s)

WMP No. 51240 of 2026

Prayer: This petition is filed under Article 226 of the Constitution of India, praying to clarify the judgment dated 29.09.2026 to the effect that the fees structure directed by this Honourable Court in terms of interim order passed in W.M.P.No. 16354 of 2026 in W.P.No.15159/2026 dated 08.09.2026 is to be followed till arriving fresh fees structure and thus justice may be rendered.

WP No. 15159 of 2026

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari calling for the records of the 1st Respondent in impugned circular dated Nil March 2026 in reference no. 983/Health/H5/2026, quash the same.

For Petitioner(s): Dr.B.Ramaswamy,
Additional Government Pleader (Py)

For Respondent(s): Mr.Om Prakash,
Senior Counsel
for Mr.Abishek Jenasenan

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ORDER

This writ miscellaneous petition is filed under the caption "For Clarification".

2. Learned Additional Government Pleader appearing for the petitioners would submit that the respondent-college is not participating in the counselling process, contrary to the directions issued by this Court vide order dated 08.09.2026, thereby prejudicially affecting a large number of students. He further submitted that the respondent-college is now claiming the status of a "Deemed to be University".

3. Learned Senior Counsel appearing for the respondents would submit that in the present case, as far as admission with undergraduate (UG) admissions, the respondent-college has participated in the counselling process and students have already been admitted to the said courses. Furthermore, the learned Senior Counsel adverted to a letter dated 22.09.2026, which indicates that the respondent-college has been accorded the status of a "Deemed to be University".

4. In reply to the aforesaid submission, the learned Additional Government Pleader appearing for the petitioners drew the attention of this

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Court to a letter dated 30.10.2026, which explicitly clarifies that the aforementioned declaration of "Deemed to be University" status is merely a conditional approval, which remains subject to the final outcome of W.P.No.15159 of 2026 and W.M.P.No.16354 of 2026.

5. Insofar as the Writ Petition connected to this matter is concerned, this Court, upon due consideration of the rival submissions and the materials on record, observes that the respondent-college was not falls within the purview of the Pondicherry Private Professional Educational Institutions (Provision of Reservations, Admission of Students and Fixation of Fees) Regulations, 2006, enacted by the Government of Puducherry. Consequently, this Court has held that regarding fee fixation, the college is required to collect only such fees as are fixed by the designated Committee, in line with the principles enunciated by the Hon'ble Supreme Court in ***Islamic Academy of Education and Another Vs. State of Karnataka and Others.*** Since the 2006 Regulations not govern the respondent-college, its admission processes of fixation of fees, must conform to the directives therein alongside the law laid down in ***Islamic Academy of Education and Another Vs. State of Karnataka and Others***. Therefore, having been not recognized as an institution under the ambit of the 2006 Regulations, the respondent-college is bound to participate in the UG as well as PG counselling and fees whatever fixed by the fee fixation committee shall be strictly complied and collected from the students.

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6. Learned senior counsel appearing for the respondents would submit that the order passed by this Court will be complied with by the respondent-college. He further submitted that an appeal has already been preferred against the order of this Court dated 29.09.2026.

7. In view of the above submission, this Court clarifies that the mere pendency or filing of an appeal does not operate as a stay, and will in no way absolve or prevent the respondent-college from participating in the ongoing UG as well as PG counselling process.

05-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
VM

To:

1.The Under Secretary to Government (Health),
Government of Puducherry,
Chief Secretariat (Health II), Puducherry.

2.The Fee Committee for Private Professional
Colleges in Puducherry,
O/o the District Collectorate, I - Floor,
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KRISHNAN RAMASAMY, J.

VM

3. The Chairman
Sri Venkateshwaraa Medical College
Hospital and Research Centre
Represented by its,
No. 13-A, Pondy-Villupuram Main Road,
Ariyur, Puducherry 605 102.

4. The Chairman ,
Sri Venkateshwaraa Dental College
No. 13-A, Pondy-Villupuram Main Road,
Ariyur, Puducherry 605 102

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