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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G. ARUL MURUGAN

WA No. 3560 of 2026

Case QR

CNR:{HCMA012835902026}

Sri Venkateshwaraa Medical College Hospital & Research Centre
Represented By Its Chairman, No. 13-A, Pondy-Villupuram Main Road, Ariyur, Puducherry, 605 102 Appellant

Vs

1. The Government of India
Represented By Its Secretary, Ministry Of Education,
Department Of Higher Education, Kartvya Bahwan,
2 New Delhi

2.The Medical Counselling Committee
Represented By Its Chairman,
Directorate General Of Health Services,
Government Of India, New Delhi

3.The Government of Puducherry,
Represented By Its Under Secretary To Government
(Health), Chief Secretariat (Health II), Puducherry

4.Convener Of Centac
Government Of Puducherry, Kamarajar
Manimandapuram, Near Sivaji Statue, Karuvadikuppam,
Puducherry, 605 008 Respondents

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Prayer: Appeal filed to set aside order dated 17.11.2026 passed in W.P.No.46350 of 2026.

For Appellant(s): Mr. P.S.Raman Senior Counsel
for Mr. Abishek Jenasenan

For Respondent(s): Mr. Srinath Sridevan
Senior Counsel
for Mr. J.Kumaran
Government Pleader (Puducherry) for R3.
Dr. B.Ramaswamy
Addl. Government Pleader (Puducherry)
for R4.

JUDGMENT

(Judgment of the Court was delivered by G.Arul Murugan, J.)

This intra-court appeal is preferred by the appellant assailing the interim order dated 17.11.2026 in WP No.46350 of 2026.

2. With the consent of the learned Senior Counsel appearing for the appellant and the learned Senior Counsel appearing for the third respondent, Government of Puducherry and the learned counsel appearing for the fourth respondent, CENTAC, the writ appeal itself is taken up for disposal.

3. At the outset, since the intra-court appeal assails an interim order, and in view of the consent expressed by all the learned Senior

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Counsel appearing on either side, and the nature of order we are proposing to pass, we do not deem it fit to travel into the merits of the case, as it may have a bearing in the decision of the writ petition.

4. The appellant college is imparting medical education and was affiliated to the Pondicherry University. An issue arose in respect of fixation of fees, where the appellant college was aggrieved by the communication sent by the University, seeking details in respect of the fee structure. In the challenge made by the appellant college, final orders came to be passed in the writ petition by order dated 29.09.2026, dismissing the claim made by the appellant, holding that the appellant would come under the fee committee regulations as stipulated by the Government of Puducherry. After the writ petition was disposed of by an order dated 29.09.2026, subsequently an application, seeking for clarification was moved in WMP No.51240 of 2026, by the Government of Puducherry, whereby by an order dated 05.11.2026 was passed.

5. The appellant college had filed a writ appeal before this court in W.A.No.3416 of 2026, challenging the final order dated 29.09.2026,

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and also W.A.No.3417 of 2026, challenging the clarificatory order dated 5.11.2026. This court issued notice to the respondents in W.A.No.3416 of 2026 and we have not granted any interim order, staying the final orders passed by the writ court dated 29.09.2026.

6. In respect of W.A.No.3417 of 2026, finding that the order dated 05.11.2026 was passed in a clarification petition after the disposal of the main writ petition, this court, by its order dated 11.11.2026, stayed the clarificatory order dated 5.11.2026. It was also made clear that the Government of Puducherry would be at liberty to proceed further in accordance with law.

7. Subsequently, the Government of Puducherry had issued an order dated 11.11.2026, by including the appellant college in the PG medical seat matrix under CENTAC PG medical counseling. This order dated 11.11.2026 was assailed by the appellant before the writ court. It is stated that the CENTAC, through the counseling process, has allotted 61 PG candidates as on date.

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8. At this juncture, when the writ petition came up for hearing before the learned Single Judge, the order impugned in this appeal, dated 17.11.2026, came to be passed, where the learned Single Judge, by referring to the orders passed in the earlier writ petitions and the interim orders passed by this Court, in paragraph 10 of the order, stayed all further proceedings in respect of admission and joining of the students both by CENTAC and MCC, and granted liberty to the parties to get the issue clarified before this court. The relevant portion of the order reads as under:

> *"10. In view of the present facts and circumstances of this case, there shall be an order of interim stay on all further proceedings in the process of admission and also the joining of the students by CENTAC and MCC. The joining of the students and collection of fees shall be subject to the clarification to be given by the Hon'ble Division Bench. Subject to the clarification given by the Hon'ble Division Bench of this Court, the affected students shall be impleaded as parties in the present Writ Petition. The parties are at liberty to move an urgent motion before this Court upon obtaining clarification from the Hon'ble Division Bench."*

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9. We find that in the earlier orders passed by the writ court, the issue which was under challenge was in respect of fixation of fees, which came to be finally decided by the learned Single Judge through order dated 29.09.2026, which is assailed in a separate writ appeal and is pending.

10. As regards the order passed in the clarification petition dated 05.11.2026, where, after certain orders were passed pursuant to the disposal of the writ petition, in a separate appeal filed, this court had intervened and granted stay of the order dated 05.11.2026 without disturbing the final order dated 29.09.2026 and allowed the State to proceed in accordance with law, which goes without saying that while the directions issued through order dated 5.11.2026 remained stayed, the issues decided through final order dated 29.09.2026 shall be effective *de hors* the pendency of the writ appeal.

11. While the issue remains so, the present order dated 11.11.2026, by the Government of Puducherry by including the appellant college under the CENTAC PG medical counseling was the subject matter before the writ court in the pending writ petition. It is

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for the learned Single Judge to decide the validity of the order dated 11.11.2026 passed by the Government of Puducherry in including the appellant college in the PG medical seat matrix.

12. The learned Single Judge has granted an interim order from admission and allowing the joining of the students both by CENTAC and MCC.

13. Unless the issue is decided in the writ petition as to the validity of the order dated 11.11.2026 passed by the Government of Puducherry, the issue cannot be put at rest. Now we find that the admission process is ongoing, where around 61 students who got allotment through CENTAC is waiting to get admitted, and further the balance seats are to be filled up.

14. Therefore, unless the issue is resolved regarding the status of the appellant college in respect of filling up of the PG seats, which could be done only if the writ petition is finally decided, where the validity of the order dated 11.11.2026 is decided at the earliest, the admission process will not be completed and the students will be able

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to be prejudiced.

15. In view of the above, and the consent given by the respective parties, we are inclined to dispose of the writ appeal by requesting the learned Single Judge to take up the writ petition for final hearing at the earliest and to decide as expeditiously as possible, considering the plight of the students where the admission process is to be completed.

16. By taking into the above facts, it is for the learned Single Judge to decide on the validity of the orders passed by the Government of Puducherry dated 11.11.2026, which is assailed in the writ petition, at the earliest.

17. As the learned Single Judge has granted interim order, till a final decision is taken in the writ petition, the position as on date, shall continue to be in operation.

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18. With the aforesaid, the writ appeal stands disposed of. There will be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ.) (G. ARUL MURUGAN, J.)
24.11.2026

Index : Yes/No
Neutral Citation : Yes/No
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To

1. The Secretary,
Ministry Of Education, Department Of Higher Education,
Kartvya Bahwan,
2 New Delhi

2.The Chairman,
Medical Counselling Committee
Directorate General Of Health Services,
Government Of India, New Delhi

3.The Under Secretary To Government (Health),
Chief Secretariat (Health II), Puducherry

4.The Convener Of Centac
Government Of Puducherry, Kamarajar
Manimandapuram, Near Sivaji Statue, Karuvadikuppam,
Puducherry, 605 008

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G. ARUL MURUGAN, J.

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