

WEB COPY

WP No. 32289 of 2023 etc bat



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 08-07-2025

Pronounced on : 23-07-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

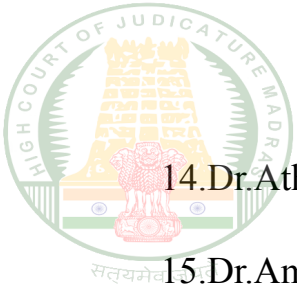
WP Nos. 32289 of 2023, 4253, 4254 & 4248 OF 2024,

WP No. 31835 OF 2024 and

WMP No. 31905 of 2023

W.P.No.32289 of 2023:

1. Dr.D.Krishna Raj
- 2.Dr.Vignesh
- 3.Dr.Pavithra
- 4.Dr.Kiruthika.R
- 5.Dr.Vignesh.T
- 6.Dr.Aravindh.M
- 7.Dr.Aneesh Muralidharan
- 8.Dr.Sathvik G
- 9.Dr.Nivetha.V
- 10.Dr.Priyangadevi Sankar
- 11.Dr.Swathi K J
- 12.Dr.Naveena.R
- 13.Dr.Vaishali.S



14.Dr.Athmika.N

15.Dr.Amritha Jan.N

WEB COPY

16.Dr.Ramya.R

17.Dr.Merlin Shruthi Jeshanah Doss

18.Dr.Chakravarthi M

19.Dr.Ramraghull R

20.Dr.T.Husna Fathima

21. Dr.Amritha Raj N.P

22.Dr.Chaitana N H

23.Dr.Aaron Jones Gifty.S. S

24.Dr.Thanigaivelan.G

25.Dr.Sridurga E

26.Dr.Loha Pushpanjali L

27.Dr.Mohammed Shafi M

28.Dr.S.Praveen Kumar

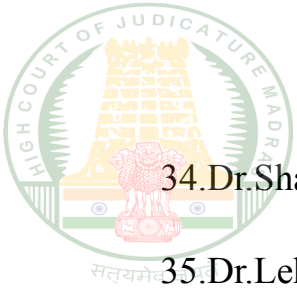
29.Dr.Divya P S

30.Dr.Reshma.I

31.Dr.Yamuna V

32.Dr.Gayathri.K

33.Dr.Mythili K



34.Dr.Shashi Kiran M.S

35.Dr.Lekshmi Ts

WEB COPY

36.Dr.Jerin Monisha.P

37.Dr.G.Sudarshan

38.Dr.Prashanthi S

39.Dr.Mohamed Sajad Akbar

40.Dr.M.D.Gowthaman

41.Dr.Prasanth Jeeva Raam

42.Dr.Ravikanth N

43.Dr.R.Jenisha Elizabeth

44.Dr.Sunandha S

45.Dr.Abishek K S

46.Dr.Ram Kumar Aiyappan

47.Dr.S.Lathika

48.Dr.Ruwaidha Ahamed Rafeeq A.R

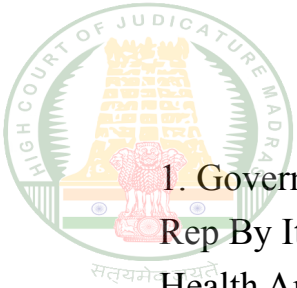
49.Dr.Gowtham Karthik V

50.Dr.Jaiganesh V

51.Dr.J B Beffrin Rex

Petitioner(s)

Vs



1. Government of Tamil Nadu
Rep By Its Principal Secretary to Government,
Health And Family Welfare Department,
(MCA-2 Secretariat), Chennai.

2. Government of Tamil Nadu
Rep By its Principal Secretary to Government,
Higher Education Department,
Secretariat, Chennai.

3. The Director,
The Directorate of Medical Education,
Chennai- 600 010.

4. The Vice Chancellor,
Annamalai University,
Chidambaram, Tamil Nadu.

5. The Registrar,
Annamalai University,
Chidambaram, Tamil Nadu.

6. The Dean,
Government Cuddalore Medical College,
Rep By Its Dean,
(formerly Rajah Muthiah Medical College)
Chidambaram, Tamil Nadu.

Respondent(s)

WP No. 4253 of 2024:

1. Dr. D. Abinaya
M.D Obstetrics And Gynaecology D/w/o.
Duraisingam Non-service PG 2018 - 21
Government Medical College, Cuddalore.
Residing At A-94 Doshi Gardens Arcot
Road, Vadapalani Chennai 600 026

Petitioner



Vs

1. National Medical Commission

Rep By Its Secretary General Pocket -14,
Sector -8, Dwarka Phase I, New Delhi 110 077.

2. Government of Tamil Nadu

Rep By its Principal Secretary to Government,
Health And Family Welfare Department,
(mca-2) Secretariat, Chennai 600 009.

3. Government Of Tamil Nadu,

Rep By its Principal Secretary To Government,
Higher Education Department,
Secretariat, Chennai 600 009.

4. The Directorate Of Medical Education,

Rep By Its Director, Chennai 600 010.

5. Annamalai University,

Rep By Its Vice Chancellor,
Chidambaram, Tamilnadu.

6. Annamalai University,

Rep By Its Registrar,
Chidambaram, Tamilnadu.

7. Government Medical College,

(formerly Rajah Muthiah Medical College)
Chidambaram, Cuddalore District.

Respondents

WP No. 4254 of 2024:

Dr. M. Sujitha M.D. Microbiology

Petitioner

Vs



WEB COPY

1. National Medical Commission,
Rep By Its Secretary General Pocket -14,
Sector -8 Dwarka Phase I, New Delhi 110 077.

2. Government of Tamil Nadu
Rep By its Principal Secretary to Government,
Health And Family Welfare Department (MCA-2)
Secretariat, Chennai 600 009.

3. Government of Tamil Nadu
Rep By Its Principal Secretary to Government,
Higher Education Department Secretariat,
Chennai 600 009.

4. The Directorate of Medical Education,
Rep By its Director, Chennai 600 010.

5. Annamalai University,
Rep By Its Vice Chancellor,
Chidambaram, Tamilnadu.

6. Annamalai University,
Rep By Its Registrar,
Chidambaram, Tamilnadu.

7. Government Medical College,
(formerly Rajah Muthiah Medical College)
Chidambaram, Cuddalore District.

Respondent(s)

WP No. 4248 of 2024:

K. Indhumathi, M.D.,

Petitioner(s)

Vs

1. National Medical Commission
Rep By Its Secretary General Pocket -14,



Sector -8, Dwarka Phase I ,
New Delhi 110 077.

2. Government of Tamil Nadu

Rep By its Principal Secretary to Government,
Health And Family Welfare Department (MCA-2)
Secretariat, Chennai 600 009.

3. Government of Tamil Nadu

Rep By its Principal Secretary to Government,
Higher Education Department Secretariat,
Chennai 600 009.

4. The Directorate of Medical Education,
Rep By Its Director, Chennai 600 010.

5. Annamalai University,
Rep By Its Vice Chancellor,
Chidambaram, Tamilnadu.

6. Annamalai University,
Rep By Its Registrar,
Chidambaram, Tamilnadu.

7. Government Medical College,
(formerly Rajah Muthiah Medical College)
Chidambaram Cuddalore District.

Respondent(s)

WP No. 31835 of 2024

1. Annamalai University
Rep by its Registrar, Annamalai Nagar,
Chidambaram-608 002,
Cuddalore District.

...Petitioner



Vs

1. The State of Tamil Nadu

Rep. By its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai-9.

2. The State of Tamil Nadu,

Rep by its Principal Secretary to Government
Higher Education Department,
Fort St. George, Chennai-600 009.

Respondent(s)

Prayer in WP No. 32289 of 2023: This petition has been filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 6 herein to disburse the 14 Months of the stipend pending due for the month of March- 2020 to April 2021, Payable towards our residential program served in the Government Medical College, Cuddalore (Formerly Rajah Muthiah medical College) as payable to all non- service post graduates as per the Regulation 13.3 of the Medical Council of India (MCI), Post Graduate medical Education Regulation , 2000 and as per the Government orders under G.O. (Ms) No. 307 and G.O. (Ms) No.261 passed by the 2nd respondent herein.

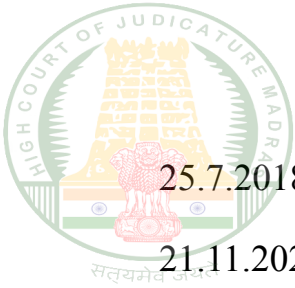
Prayer in WP No. 4253 of 2024: This petition has been filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 2 to 7 to consider and pass orders on petitioners representation dated 24.01.2024 for disbursement of stipend payable to petitioner towards internship served in



the Government Hospital at Cuddalore (Formerly Rajah Muthiah Medical college) as payable to all non-servicing post graduates as per G.O. 307 dated 25.7.2018 the guidelines and the amendment G.O. 261 of 3rd respondent dated 21.11.2022 and as per the regulations of the 1st respondent expeditiously and in accordance with law and for related interim relief

Prayer in WP No. 4254 of 2024: This petition has been filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 2 to 7 to consider and pass orders on petitioners representation dated 27.01.2024 for disbursement of stipend payable to petitioner towards internship served in the Government Hospital at Cuddalore (Formerly Rajah Muthiah Medical college) as payable to all non-servicing post graduates as per G.O. 307 dated 25.7.2018 the guidelines and the amendment G.O 261 of 3rd respondent dated 21.11.2022 and as per the regulations of the 1st respondent expeditiously and in accordance with law and for related interim relief.

Prayer in WP No. 4248 of 2024: This petition has been filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 2 to 7 to consider and pass orders on petitioners representation dated 25.01.2024 for disbursement of stipend payable to petitioner towards internship served in the Government Hospital at Cuddalore (Formerly Rajah Muthiah Medical college) as payable to all non-servicing post graduates as per G.O. 307 dated

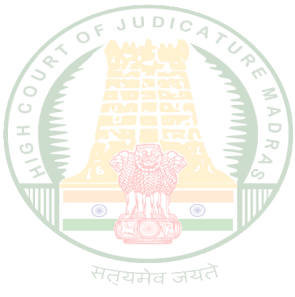


25.7.2018 the guidelines and the amendment G.O 261 of 3rd respondent dated 21.11.2022 and as per the regulations of the 1st respondent expeditiously and in accordance with law and for related interim relief.

Prayer in WP No. 31835 of 2024: This petition has been filed under Article 226 of Constitution of India, to issue a writ of declaration, declaring the G.O. (Ms) No. 307, Health and Family Welfare (MCA-2) Department, dated 25.07.2018 would not applicable to the petitioner university upto the academic year 2020-2021.

For Petitioner : Mr.K.R.Laxman
in W.P.no.32289 of 2023
Mr.D.S.Rajasekaran
in W.P.No.4253, 4254 & 4248 of 2024
Mr.S.Sithirai Anandam
in W.P.No.31835 of 2024

For Respondents : Mr.C.Jayaprakash, GA R2
Mr.S.Sithirai Anandam RR4 & 5
Mrs.M.Sneha,
Special Counsel RR1, 3 & 6
in W.P.No.32289 of 2023
Mr.K.Tippu Sultan, GA RR2, 4 & 7
Mr.C.Jayaprakash, GA for R3
Mr.S.Sithirai Anandam St.C. RR5 & 6
in W.P.No.4248 of 2024
Mr.S.Sithirai Anandam R6
Mrs.Subharanjani Ananth, S.C R1
Mrs.M.Sneha,
Special counsel RR2, 4 & 7
in W.P.no.4253 of 2024



WEB COPY

WP No. 32289 of 2023 etc bat



Mrs.Subharanjani Anand, St.C. R1
Mrs.M.Sneha, Spl. counsel RR2, 4 & 7
Mr.Sithirai Anandam, St.C. RR5 & 6
in W.P.No.4254 of 2024
Mr.C.Jayaprakash, GA RR1 & 2
in W.P.No.31835 of 2024

COMMON ORDER

W.P.No.31835 of 2024 has been filed with a prayer of declaration to declare the G.O.Ms.No.307 is not applicable to the petitioner University/Annamalai University. The other writ petitions in W.P.Nos. 32289 of 2023, 4253, 4254 & 4248 of 2024 were filed by the Post Graduate students claiming stipend on par with the Post Graduate students studying in State Government Medical Institution. Therefore, to decide the post graduate students claim, firstly we must consider whether G.O.Ms. No.307 dated 25.07.2018 is applicable to the Annamalai University. Hence, let us take up W.P.No.31835 of 2024 at the first instance.

2. Heard the learned counsel for the petitioners and the learned counsel appearing for the respondents.

3. The learned counsel appearing for the Annamalai University/petitioner



in W.P.No.31835 of 2024 would submit that the University was established in the year 1929 and the medical college were started during 1981 and 1985. It is the further submission of the petitioner that due to mismanagement and maladministration, the University was taken over by the State Government of Tamil Nadu and that initially, the medical college was run as a self-financing college and no financial assistance was received from the Government.

4. The learned counsel further submits that only by virtue of G.O.Ms.No.16 Higher Education (H1) Department, dated 27.01.2021, the medical college was taken over by the Government and vide G.O.No.45, Health and Family Welfare (MCA-2) Department, dated 27.01.2021, the medical college was renamed as Cuddalore Medical College. It is the further submission of the University that the post-graduate students are wrongly claiming stipend and their claim are misconceived, as the G.O.Ms.No.307 dated 25.07.2018 is not applicable to the Annamalai university and that the P.G. students are eligible to have stipend only as per the University syndicate resolution. Therefore, the learned counsel for the University prayed to declare



G.O.Ms.No.307 dated 25.07.2018 is not applicable to the Annamalai University and hence, prays to dismiss the students' writ petitions.

5. Per contra, the learned counsel appearing for the students in W.P.Nos.32289 of 2023, 4253, 4254 & 4248 of 2024 would submit that, as per the NMC guidelines under clause 13.3, the Post Graduate students shall be paid stipend at par with the students of the Government Medical Colleges. It is further contended that G.O.Ms.No.307 dated 25.07.2018 does not differentiate between the Government Medical College and Private Medical Colleges. Apart from that the NMC guidelines will have a force of statute. Therefore, the G.O.Ms. No.307 dated 25.07.2018 will bind upon the Annamalai University. It is the further submission of the learned counsel for the students that so called syndicate resolution will in no way supercede G.O.Ms.No. 307, dated 25.07.2018. Hence, the learned counsel for students prays to dismiss the University's writ petition in W.P.No.31835 of 2024, and allow their writ petitions in W.P.Nos.32289 of 2023, 4253, 4254 & 4248 of 2024.



6. The Government has supported the students who are the writ petitioners in W.P.nos.32289 of 2023, 4253, 4254 & 4248 of 2024, and would further contend that the Annamalai University is liable to pay such stipend amount to the Post Graduate students.

7. I have given my anxious consideration to the submissions made on either side.

8. The entire issue revolves around the interpretation and the extant of application of the G.O.Ms.No.307 dated 25.07.2018. The above Government Order deals about the enhancement of stipend for compulsory Rotatory Residential Internees (CRRIs), post Graduates Degree/Diploma and Higher Speciality students. In paragraph No.3, the Government has fixed the enhanced monthly stipend for CRRIs and Post Graduate Degree/Diploma students and Higher Speciality Students including M.Ch.(Neuro Surgery) Courses. For ready reference, this Court deems it appropriate to extract the relevant paragraph of the said G.O., which reads as follows:



"3. The Government, after careful examination, have decided to enhance the rate of stipend to the CRRIs, Post Graduate Degree/Diploma and High Speciality students including M.Ch (Neuro Surgery – 6 year course) students from 01.04.2018. The Government accordingly do and hereby direct that the rate of stipend to the M.Ch. (neuro Surgery – 6 years course) students be enhanced the stipend with effect from 01.04.2018 as follows:

Sl.No.	Student categories	Year of study	Enhancement of monthly stipend
1	2	3	4
1	CRRi	20,000/-
2	Post Graduate Degree	1 st year	35,000/-,
		2 nd year	37,500/-
		3 rd year	40,000/-
3	Post Graduate Diploma	1 st year	35,000/-
		2 nd year	37,500/-
4	Higher Speciality Courses	1 st year	40,000/-
		2 nd year	43,500/-
		3 rd year	45,000/-
5	M.Ch. Neuro Surgery	4 th year	45,000/-
		5 th year	45,000/-
		6 th year	45,000/-

9. On harmonious reading of the above Government Order, it directed for the enhanced stipend and this Court does not find any distinction between the Government medical colleges and the private medical colleges. To vindicate the above findings, it is appropriate to extract the clause 13.3 of the Medical Council of India, Post Graduates Medical Education Regulations (hereinafter



referred to as "the regulations"), wherein the Medical Council has directed that the post graduate students of the private medical college shall be paid remuneration at par with the remuneration being paid to the post graduate students of State Government Medical Institutions/Central Government Medical Institutions. For ready reference, this Court deems it appropriate to extract the relevant clause of the said regulations, which reads as follows:

"The post graduate student of the institutions which are located in various States/Union Territories shall be paid remuneration at par with the remuneration being paid to the Post Graduate students of State Government medical institutions / Central Government Medical Institutions, in the State/Union Territory in which the institution is located. Similar procedure shall be followed in the matter of grant of leave to Post Graduate Students."

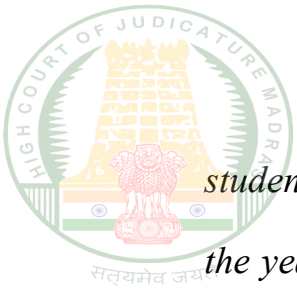
10. Therefore, on a combined reading of G.O.Ms.No.307, Health and Family Welfare (MCA-2) dated 25.07.2018 and clause 13.3 of NMC regulations, it is apparent that the private medical college students are entitled to get stipend at par with the Government Medical College students. Even for arguments sake if we consider that the G.O.Ms.No.307, dated 25.07.2018, does



not speak about the private medical college students, the NMC regulations makes it more clear that the private collage students are also entitled to get stipend at par with the Government Medical college students. Therefore, in accordance with NMC regulations, the PG medical students are eligible to seek claim in accordance with G.O.Ms.No.307 dated 25.07.2018.

11. It is the prime contention of the students, who are the petitioners in WP No. 32289 of 2023, 4253, 4254 & 4248 OF 2024 that the Annamalai University is not paying stipend as stipulated under G.O.Ms.No.307 dated 25.07.2018. At this juncture, it is appropriate to discuss the arguments put forth by the learned counsel appearing for the University. According to him, vide G.O.Ms.No.204 dated 26.10.2021, the Government directed the University to recover stipend paid to the students. In this regard, it is appropriate to extract the relevant portion of the G.O.Ms.No.204, Higher Education (H1) Department, dated 26.10.2021:

"4. The Government further orders that the excess fees paid should be refunded to the outgoing students i.e. MBBS students admitted in the year 2016-17, MD/Ms students admitted in the year 2018-19, BDS



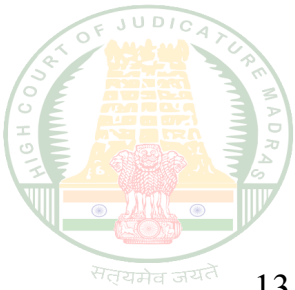
students admitted in the year 2017-18 and MDS students admitted during the year 2018-19 after due adjustments with the due to be collected from

the same batch of students. The excess fee paid by all other students should be adjusted towards the fees to be paid in the forthcoming years.

The stipend if anything has already been paid to the students of under-graduate and post graduate medical and dental programmes should be recovered as the fees has been re-fixed on par with self- financing college fees. Since there is no stipend paid even to the eligible students."

12. At this juncture, the learned counsel appearing for the students invite the attention of the G.O.Ms.261 Education (H1) Department, dated 21.11.2022 wherein the above para -4 was amended as follows:

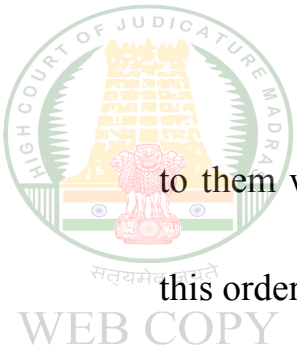
*"In para 4 of the Government Order, the existing sentence, "The stipend if anything has already been paid to the students of under-graduate and post-graduate medical and dental programs should be recovered, as the fess has been re-fixed on par with self-financing college fees, since there is no stipend paid even to the eligible students" shall be substituted as the sentence. **"The eligible non-service Post-Graduate students and CRRIs of erstwhile Annamalai University shall receive the eligible amount as stipend."***



WEB COPY

13. Therefore, as per the G.O.No.261, dated 21.11.2022, the non service post-graduate students are eligible to receive their entitlement of a stipend. In view of the above detailed discussion, it is crystal clear that the Annamalai university post-graduate medical students are entitled to get stipend on par with the Government Medical College students, in line with G.O.Ms.No.307 dated 25.07.2018 and NMC regulations. Therefore, this Court is of the firm view that the Annamalai University is bound by G.O.MS.No.307 Health and Family Welfare (MCA-2) dated 25.07.2018.

14. In view of the above discussion, the W.P.No.31835/2024 filed by the University is dismissed. As a concomitant, the students who are the petitioners in W.P.Nos.32289 of 2023, 4253, 4254 & 4248 OF 2024 are entitled to get stipend in accordance with G.O.MS.No.307 Health and Family Welfare (MCA-2) dated 25.07.2018 during their study at Annamalai University, and the Annamalai University is directed to pay the balance stipend amount if any due, as per G.O.MS.No.307, Health and Family Welfare (MCA-2), dated 25.07.2018



to them within a period of three months from the date of receipt of a copy of this order.

15. In the result, WP No. 32289 of 2023, 4253, 4254 & 4248 OF 2024 are allowed, and WP NO. 31835 OF 2024 is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

23-07-2025

rli

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Principal Secretary to Government,
Health And Family Welfare Department
(MCA-2 Secretariat), Chennai.

2. The Principal Secretary to Government,
Higher Education Department,
Secretariat, Chennai.

3.The Director
The Directorate Of Medical Education,
Chennai- 600 010.

4.The Vice Chancellor
Annamalai University,
Chidambaram.



WP No. 32289 of 2023 etc bat



5. The Registrar
Annamalai University,
Chidambaram.

6. The Dean,
Government Cuddalore Medical College, (formerly
Rajah Muthiah Medical College) Chidambaram.

7. The Secretary General
National Medical Commission,
Pocket -14, Sector -8 Dwarka Phase I
New Delhi 110 077.



WEB COPY

WP No. 32289 of 2023 etc bat



C.KUMARAPPAN, J.
rli

**WP Nos. 32289 of 2023,
4253, 4254 of 2024, 4248
of 2024 and 31835 of
2024**

23-07-2025