



W.P Nos.26062, 26065, 26068,
26071 & 26074 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P Nos.26062, 26065, 26068, 26071 and 26074 of 2025

Vignesh.D

..... Petitioner in
all the writ petitions

Vs

1. The Health and Family Welfare
Department
Represented by the Additional Chief
Secretary, Government of Tamil Nadu,
Secretariat, Chennai,
Tamil Nadu-600 009

2.The Social Welfare and Women
Empowerment Department,
Represented by the Secretary,
Government of Tamil Nadu,
Commissionerate of Social Welfare
Lady Willingdon College Campus,
Kamarajar Salai, Chennai
Tamil Nadu-600 005

3.Directorate of Medical Education and
Research
Represented by the Director,
Government of Tamil Nadu, Admin
Office, 156, Poonamallee High Road,
New Bupathy Nagar, Chetpet,
Chennai- Tamil Nadu -600 031.



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4. Committee on Fixation of Fee in
Respect of Self-financing Professional
Colleges,
Directorate of Technical Education,
(DOTE), Represented by the
Chairperson, 53, Sardar Patel Road,
Guindy, Chennai-600 025.

5. National Medical Commission,
Represented by the Chairperson,
Pocket-14, Sector -8, Dwarka Phase-I,
New Delhi-110 077.

6. The Tamil Nadu Dr.M.G.R Medical
University
Represented through its Vice
Chancellor, No.69, Anna Salai,
Guindy, Chennai-600 032

7. The Tamil Nadu Dr. M.G.R Medical
University
Represented through Its
Ombudsperson, No.69, Anna Salai,
Guindy, Chennai-600 032

8. Tamil Nadu Medical Council
Represented by The President,
No.959, 960, Poonamallee High Road,
Purasaiwakkam, Chennai,
Tamil Nadu, India-600 084

9. Dhanalakshmi Srinivasan Medical
College And Hospital
Represented by the Managing Director,
Siruvachur, Perambalur,
Tamil Nadu -621 113

... Respondents
in all the writ petitions



*W.P Nos.26062, 26065, 26068,
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PRAYER in W.P No.26062 of 2025: Writ Petition is filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the respondents No.1 to 6 to take action against the respondent No.9 and consequently, ensure that the original school educational documents of the petitioner are returned to the petitioner.

PRAYER in W.P No.26065 of 2025: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 3, 5, 6 and 7 to take action against Respondent No.9 based on the petitioner's representation dated 30.05.2025 and consequently, ensure that the internship log book of the petitioner is accepted.

PRAYER in W.P No.26068 of 2025: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 7 to take action against Respondent No.9 and consequently ensure that the documents including the final certificate of compulsory rotating medical internship, attempt certificate, transfer certificate, course cum conduct certificate are issued to the petitioner.

PRAYER in W.P No.26071 of 2025: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 7 to take action against Respondent No.9 and consequently ensure that the arbitrary fee demand as fifth year fees from the petitioner is withdrawn.

PRAYER in W.P No.26074 of 2025: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 6 and 7 to constitute a committee accessible for transgender persons at the university level as per Rule 10(8) of the Transgender Persons



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(Protection of Rights) Rules, 2020 issued by the Government of India.

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For Petitioner in
all W.Ps. : Mr.Rajagopalan R @ Kanmani R

For R1 to R4 : Mr.K.Tippu Sulthan
in all W.P's Government Advocate

For R5 in W.P.26062, : Mr.B.Rabu Manohar
26065, 26071/2025 Senior Central Government
Standing Counsel

For R5 in W.P.26068 &
26074/2025 : Mrs.V.Sudha
Central Government Standing Counsel

For R6 & R7 in
W.P No.26062 of 2025: Mr.A.Mohamed Goush
Standing Counsel

For R6 & R7 in
W.P.26065,26068,
26071 &26074/2025 : Mrs.C.Latha Rani
Standing Counsel

For R8 in all WPs; : Mr.U.Baranidharan
Standing Counsel

For R9 in all WPs : Mr.Abishek Jeenasenan

COMMON ORDER

These five writ petitions have been filed, i) directing the respondents No.1 to 6 to take action against the respondent No.9 and

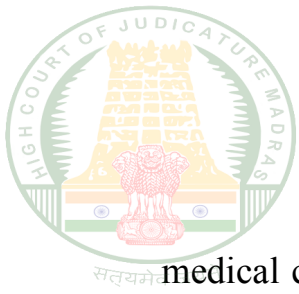


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consequently, ensure that the original school educational documents of the petitioner, ii) directing the respondents 3, 5, 6 and 7 to take action against Respondent No.9 based on the petitioner's representation dated 30.05.2025 and consequently, ensure that the internship log book of the petitioner is accepted, iii) directing the respondents 1 to 7 to take action against Respondent No.9 and consequently ensure that the documents including the final certificate of compulsory rotating medical internship, attempt certificate, transfer certificate, course cum conduct certificate are issued to the petitioner, iv) directing the respondents 1 to 7 to take action against Respondent No.9 and consequently ensure that the arbitrary fee demand as fifth year fees from the petitioner is withdrawn and v) directing the respondents 6 and 7 to constitute a committee accessible for transgender persons at the university level as per Rule 10(8) of the Transgender Persons (Protection of Rights) Rules, 2020 issued by the Government of India.

2. The petitioner is a transgender and after completion of XII standard, the petitioner passed NEET-UG examination. Thereafter, the petitioner got admission under the 9th respondent college under the Telugu Minority Seat in management quota to the M.B.B.S course. The 9th respondent



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medical college is affiliated to the Tamil Nadu Dr. M.G.R Medical University.

According to the petitioner, the petitioner had paid the fees for the entire course and even then, the 9th respondent asked for balance fees. Now, the petitioner had completed 5 years course and the petitioner was issued a professional degree certificate for completion of M.B.B.S course by the 5th respondent. However, the original educational certificates were not issued to the petitioner by the 9th respondent for the reason that there are arrears of fees.

3. The learned counsel appearing for the 9th respondent submitted now, they intended to waive any fees arrears and ready to return of all the original certificates.

4. During the petitioner's under graduation in the 9th respondent college, the petitioner suffered with a lot of discrimination and the petitioner was not provided gender neutral hostel accommodation and as such, the petitioner was denied the bonafide certificate, compulsory rotating medical internship certificate and the petitioner was not returned the educational certificates and documents which were handed over to the 9th respondent college, during the admission of the petitioner in the M.B.B.S course. The



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Hon'ble Supreme Court in the case of **National Legal Services Authority of India v. Union of India** reported in **2014 (5) SCC 438**, recognized the fundamental right of the transgender persons under the Constitution of India including the right of self determination of gender identity. Therefore, the Supreme Court directed the Centre and State Governments to seriously address the problems being faced by hijras/transgenders such as fear, shame, gender dysphoria, social pressure, depression, suicidal tendencies, social stigma, etc. and any insistence for SRS for declaring one's gender is immoral and illegal. Thereafter, the Transgender Persons (Protection of Rights) Act 2019 was enacted and the Transgender Persons (Protection of Rights) Rules, 2020 were notified subsequently.

5. According to the petitioner, the 9th respondent college violated the provision under Section 3 of the Transgender Persons (Protection of Rights) Act, 2019. It is relevant to extract the provision under Section 3 of the Transgender Persons (Protection of Rights) Act, 2019 as under:

"Prohibition against discrimination - No person or establishment shall discriminate against a transgender person on any of the following grounds, namely: (a) the denial, or discontinuation of, or unfair treatment in,



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educational establishments and services thereof".

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Further, the respondents 6, 7 and 9 had violated the provisions under Section 13 of the Transgender Persons (Protection of Rights) Act, 2019 (hereinafter called as Act), which reads as follows:

"13. Obligation of educational institutions to provide inclusive education to transgender persons - Every educational institution funded or recognized by the appropriate Government shall provide inclusive education and opportunities for sports, recreation and leisure activities to transgender persons without discontinuation on an equal basis with others".

Further, the Rules 10(4) and 10(5) of the Transgender Persons (Protection of Rights) Rules, 2020 were also violated by the respondents 6, 7 and 9 by not providing a gender-neutral washroom to the petitioner during internship, which reads as follows:

"(4) The appropriate Government shall take adequate steps to prohibit discontinuation in any Government or private organisation, or private and public educational institution under their purview, and ensure equitable access to social and public spaces, including burial grounds.

(5) The appropriate Government shall create



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institutional and infrastructure facilities, including but not limited, rehabilitation centre referred to in sub-section (3) of section 12 of the Act, separate human immunodeficiency virus sero-surveillance centres, separate wards in hospitals and washrooms in the establishment, within two years from the date of coming into force of these rules to protect the rights of transgender persons".

Further, the specific grievance redressal mechanism for transgender persons is partly due to the lack of a committee at the educational institution level which is mandated as per law. It is relevant to extract the Rule 10(8) of the Transgender Persons (Protection of Rights), Rules, 2020 as follows:

"All educational institutions shall have a committee which shall be accessible for transgender persons in case of any harassment or discrimination, with powers to ensure that transgender students do not have to be affected by the presence of the persons bullying them, including teachers".

6. That apart, withholding of the certificates and other school educational documents is a violation of University Grants Commission (Grievance Redressal) Regulations Section 2(f)(vi) which reads as follows:



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" 'grievances' include the following complaints of the aggrieved students, namely:

withhold or refuse to return any document in the form of certificates, of degree, diploma or any other award or other document deposited with it by a person for the purpose of seeking admission in such institution, with a view to induce or compel such person to pay any fee or fees in respect of any course or program of study which such person does not intend to pursue".

Since the educational documents are the valuable property of every student, the 9th respondent college ought not to have hold the certificates and school educational documents on the ground of fee balance. All these documents are very much concerned to the student's career and all are most valuable properties. Non-availability of such certificates or delay in producing the same may result in serious consequences in respect of students' career. Further, the certificates of the students cannot be withhold for the issue of fees as the educational institutions can claim no lien over the certificates. However, now the 9th respondent is ready to waive the arrears of fees, if any and agreed to return all the original educational certificates and other documents of the petitioner.

7. In view of the above submission, the petitioner is directed to



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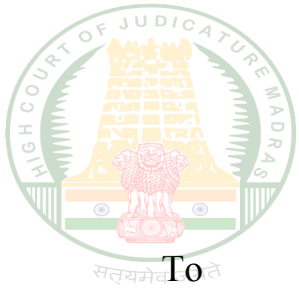
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approach the 9th respondent college for return of all the original educational certificates and other documents, within a period of one week from the date of receipt of a copy of this order. On such request, the 9th respondent is directed to return all the original educational certificates and other documents of the petitioner forthwith by waiving arrears of fees. Insofar as the direction sought for to the respondents 6 and 9 to constitute a committee accessible for transgender persons at the university level as per Rule 10(8) of the Transgender Persons (Protection of Rights) Rules, 2020 issued by the Government of India, is concerned, the 6th respondent is directed to constitute a committee at the university level as per Rule 10(8) of the Transgender Persons (Protection of Rights) Rules, 2020 issued by the Government of India, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. With the above directions, all the writ petitions stand disposed of. No costs.

08.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

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1. The Health and Family Welfare

Department

Represented by the Additional Chief
Secretary, Government of Tamil Nadu,
Secretariat, Chennai,
Tamil Nadu-600 009

2.The Social Welfare and Women

Empowerment Department,

Represented by the Secretary,
Government of Tamil Nadu,
Commissionerate of Social Welfare
Lady Willingdon College Campus,
Kamarajar Salai, Chennai
Tamil Nadu-600 005

3.Directorate of Medical Education and
Research

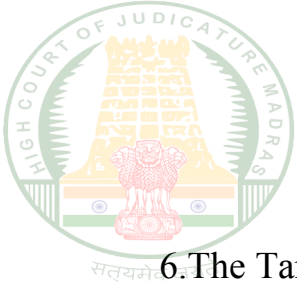
Represented by the Director,
Government of Tamil Nadu, Admin
Office, 156, Poonamallee High Road,
New Bupathy Nagar, Chetpet,
Chennai- Tamil Nadu -600 031.

4.Committee on Fixation of Fee in
Respect of Self-financing Professional
Colleges,

Directorate of Technical Education,
(DOTE), Represented by the
Chairperson, 53, Sardar Patel Road,
Guindy, Chennai-600 025.

5.National Medical Commssion,

Represented by the Chairperson,
Pocket-14, Sector -8, Dwarka Phase-I,
New Delhi-110 077.



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6.The Tamil Nadu Dr.M.G.R Medical
University

Represented through its Vice
Chancellor, No.69, Anna Salai,
Guindy, Chennai-600 032

7.The Tamil Nadu Dr. M.G.R Medical
University

Represented through Its
Ombudsperson, No.69, Anna Salai,
Guindy, Chennai-600 032

8.Tamil Nadu Medical Council

Represented by The President,
No.959, 960, Poonamallee High Road,
Purasaiwakkam, Chennai,
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9.Dhanalakshmi Srinivasan Medical
College And Hospital

Represented by the Managing Director,
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