

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WP(C).No. 8263 of 2010 (G)

PETITIONER(S):

**DR.ARUN.B.R., REGD. MEDICAL PRACTITIONER,
LAKSHMI BHAVAN, ALUMMOOD POST, MUKHATHALA,
KOLLAM.**

**BY ADVS.SRI.L.GOPALAKRISHNAN POTTI
SRI.A.DINESH RAO**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE (S) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF MEDICAL EDUCATION,
THIRUVANANTHAPURAM.**
- 3. UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM REPRESENTED BY, ITS REGISTRAR.**
- 4. CONTROLLER OF EXAMINATION,
UNIVERSITY OF KERALA, THIRUVANANTHAPURAM.**
- 5. MEDICAL COUNCIL OF INDIA,
II IWAN-E-GALAIB MARG, KOTTA ROAD, NEW DELHI-110 002.**
- 6. UNION OF INDIA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT, NEW DELHI-110 002.**

**R1 & R2 BY SR.GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R3 & R4 BY ADV. SRI.BECHU KURIAN THOMAS, S.C
R5 & R6 BY ADV. SRI.N.NAGARESH, A.S.G. OF INDIA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 10-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE PROVISIONAL CERTIFICATE DATED 30.12.2009 PROFESSIONAL M.B.B.S DEGREE EXAMINATION ISSUED IN FAVOUR OF THE PETITIONER.**
- EXHIBIT P2: TRUE COPY OF THE COMPULSORY ROTATING RESIDENT INTERNSHIP CERTIFICATE DATED 23.012.2009 ISSUED IN FAVOUR OF THE PETITIONER.**
- EXHIBIT P3: TRUE COPY OF THE PROCEEDINGS DATED 04.01.2010 OF THE DISTRICT PROGRAMME MANAGER, AROGYA KERALA, WAYANAD.**
- EXHIBIT P4: TRUE COPY OF THE JUDGMENT DATED 04.04.2007 IN W.P.(C).NO.5371/2007 (M) OF THIS HONOURABLE COURT.**
- EXHIBIT P5: TRUE COPY OF THE I.A.NO.7390/2007 IN W.P.(C).NO.5371/2007 (M) FILED BY THE RESPONDENTS THEREIN.**
- EXHIBIT P6: TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.8320/2008 OF THIS HONOURABLE COURT.**
- EXHIBIT P7: TRUE COPY OF DOCKET PAGE, PAGE NOS. 7,8 AND 9 OF MBBS ACADEMIC CALENDER 2003-2009 ISSUED BY THE DIRECTORATE OF MEDICAL EDUCATION, KERALA.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K.VINOD CHANDRAN, J.

W.P.(C) No.8263 of 2010

Dated this the 10th day of February, 2015

JUDGMENT

The petitioner contends that he would confine the prayer to the second one which is a claim of compensation of ₹5,00,000 for the loss of 10 months and 20 days in finishing the MBBS course and conducting the examination. That definitely would require fact adjudication, for which the petitioner would have to approach the appropriate forum. The writ petition would stand closed. Laws of Limitation definitely would be applicable when such course is undertaken.

Sd/-
K.VINOD CHANDRAN,
JUDGE.

rkc.