

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 8TH DAY OF MAY 2015/18TH VAISAKHA, 1937

WP(C).No.13663 of 2015 (G)

PETITIONER:

**S.GAYATHRI,D/O.N.SHANMUGARAJ,AGED 27 YEARS,
NO.181/461,KONNUR HIGH ROAD,
AYANAVARAM,CHENNAI-600023.**

**BY ADVS.SRI.JAMES ABRAHAM (VILAYAKATTU)
SRI.P.BALAN (VYTILA)**

RESPONDENT'S:

- 1. UNION OF INDIA,REPRESENTED BY ITS SECRETARY,
MINISTRY OF HEALTH AND FAMILY WELFARE,
NEW DELHI-110002.**
- 2. MEDICAL COUNCIL OF INDIA,AIWAN-E-GALIOB MARG,
KOTLA ROAD,OPP.MATA SUNDARI COLLEGE,(FOR WOMEN),
NEW DELHI-110 002,REPRESENTED BY ITS SECRETARY.**

**R1 BY SRI.N.NAGARESH,ASSISTANT SOLICITOR GENERAL
R2 BY SRI.TITUS MANI VETOM, SC,MEDICAL COUNCIL OF INDIA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE MBBS DEGREE CERTIFICATE OF THE PETITIONER ISSUED BY THE INTERNATIONAL UNIVERSITY OF THE HEALTH SCIENCE (IUHS), ST. KITTS, WEST INDIES.

EXHIBIT P2: TRUE COPY OF THE ELIGIBILITY CERTIFICATE ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DATED 3.6.2007.

EXHIBIT P3: TRUE COPY OF THE RESULT OF THE PETITIONER IN THE SCREENING TEST CONDUCTED BY NATIONAL BOARD OF EXAMINATION DATED 3.10.2011.

EXHIBIT P4: TRUE COPY OF THE LETTER ISSUED BY THE GOVERNMENT OF ST. CHRISTOPHER & NEVIS, WEST INDIES.

EXHIBIT P4A: TRUE COPY OF THE RELEVANT EXTRACT OF WORLD DIRECTORY OF MEDICAL SCHOOLS PUBLISHED BY WORLD HEALTH ORGANIZATION.

EXHIBIT P5: TRUE COPY OF THE JUDGMENT DATED 29.8.2014 IN W.A.NO.1981/2012.

EXHIBIT P6: TRUE COPY OF THE JUDGMENT DATED 10.12.2014 IN W.P.NO.12857/2014.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.13663 of 2015

Dated this the 8th day of May, 2015

JUDGMENT

The petitioner has obtained MBBS from International University of the Health Science (IUHS), St.Kitts, West Indies. Ext.P3 would indicate that the petitioner has passed screening test and eligibility test conducted by the National Board, which is a criteria for an Indian national, who obtained a primary medical qualification from a foreign university to enroll her name as a recognized medical practitioner by a State Medical Council or 2nd respondent. The grievance of the petitioner is for granting a provisional registration under Section 25(1) of Indian Medical Council Act for starting practice as doctor in India. The issue is covered by the judgment of this Court in W.A. No.1981 of 2011. The request for permanent registration will be subject

to the approval of one year internship. The State Council shall take necessary action to register the petitioner on the roll of State Council on approval of internship in the light of the judgment of this Court in W.A.No.1981 of 2011.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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