

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN
&
THE HONOURABLE MRS. JUSTICE MARY JOSEPH**

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 16939 of 2015 (N)

PETITIONER(S):

**DR. JESIN KUMAR CHAKKAMADATHIL, AGED 28 YEARS
STUDENT, M.D.(CHEST DISEASES)
ACADEMY OF MEDICAL SCIENCE MEDICAL COLLEGE PARIYARAM
KANNUR-670503.**

**BY ADVS.SRI.K.JAJU BABU (SR.)
SMT.M.U.VIJAYALAKSHMI**

RESPONDENT(S):

- 1. ACADEMY OF MEDICAL SCIENCES
PARIYARAM, KANNUR DISTRICT-670503
REPRESENTED BY ITS DIRECTOR.**
- 2. THE PRINCIPAL,
ACADEMY OF MEDICAL SCIENCES MEDICAL COLLEGE
PARIYARAM, KANNUR-670503.**
- 3. ADMISSION SUPERVISORY COMMITTEE AND FEE REGULATORY COMMITTEE
FOR PROFESSIONAL COLLEGES OF KERALA,
OLD HIGH COURT BUILDING, COCHIN-682031.**
- 4. DR. ANJU RAMACHANDRAN,
RESIDING AT EAZHAKAVIL HOUSE, CHETTUVA
KUNDALIYUR.P.O., THRISSUR-680601.**
- 5. DR. MINU SASIKUMAR,
RESIDING AT MANSAROVAR TC 5/1165/1, AMBALAMUKKU
PEROORKKADA.P.O., THIRUVANANTHAPURAM-695005.**

**R1,R2 BY ADV. SRI.P.V.SURENDRANATH
R BY SMT.MARY BENJAMIN, SC, ADMISSION SUPERVISORY COMMI**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-06-2015 ALONG WITH WP(C)NO.17059 OF 2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

kkj

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: COPY OF THE RELEVANT EXTRACT OF THE PROSPECTUS FOR
MEDICAL PG COURSE ADMISSION 2015-16**

**EXHIBIT P2: COPY OF THE RESULTS OF ASC ENTRANCE EXAMINATION FOR PG
MEDICAL UNDER NRI QUOTA FOR ADMISSION TO ACADEMY OF MEDICAL SCIENCE
PUBLISHED ON 21.5.2015**

**EXHIBIT P3: COPY OF THE NOTICE FOR 2ND ALLOTMENT AND CONSELLING ALONG
WITH WAITING LIST OF THE 2ND RESPONDENT**

**EXHIBIT P4: COPY OF THE RECEIPT REC. NO. MC/15-16/527 DATED 29.5.2015
SHOWING THE REMITTANCE OF AN AMOUNT OF RS.20,01,000/- TOWARDS
ADMISSION**

**EXHIBIT P5: COPY OF THE RESIGNATION LETTER SENT BY THE PETITIONER TO THE
WEBSITE OF THE ACADEMY OF MEDICAL SCIENCES ON 30.5.2015**

**EXHIBIT P6: COPY OF THE ORDER NO. ASC(P) 101/15/HO/TVPM/ PG-MEDI/ ACME &
NO.ASC(P) 106/15/HO/TVPM/PG-MEDI/ACME DATED 3.6.2015 ISSUED BY THE 3RD
RESPONDENT**

**EXHIBIT P7: COPY OF THE RELEVANT EXTRACT OF THE FIRST ALLOTMENT
PUBLISHED IN THE WEBSITE**

**EXHIBIT P8: COPY OF THE RELEVANT EXTRACT OF THE FINAL ADMISSION LIST
PUBLISHED BY THE COMMISSIONER OF ENTRANCE EXAMINATIONS**

**EXHIBIT P9: COPY OF THE RELEVANT EXTRACT OF THE FINAL ADMISSION LIST OF
ADMITTED CANDIDATES AS ON 08.06.2015 OF MANAGEMENT SEATS IN SELF
FINANCING MEDICAL COLLEGES PUBLISHED BY THE COMMISSIONER OF ENTRANCE
EXAMINATIONS**

**EXHIBIT P10: COPY OF THE FINAL LIST IN RESPECT OF MANAGEMENT QUOTA OF
MEDICAL PG 2015 BATCH OF THE FIRST RESPONDENT COLLEGE**

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

PA TO JUDGE

**K.SURENDRA MOHAN, J &
MARY JOSEPH, JJ.**

W.P.(C) Nos. 16939 and 17059 of 2015

Dated this the 9th day of June , 2015

J U D G M E N T

Surendra Mohan, J.

These writ petitions are filed by the students who have been admitted to the Medical Post Graduate Degree and Diploma Courses on 29.05.2015 by the first respondent in both the cases. Pursuant to complaints made by respondents 4 and 5 in both the writ petitions, the common third respondent, Admission Supervisory Committee had directed a fresh counselling to be conducted. The case of the petitioners is that, respondents 4 and 5 in W.P.(C) No.16939 of 2015 are persons who had opted out, in writing since they were not admitted to the specialties of their choice. Therefore, there is no justification for the fresh counseling that has been ordered by the third respondent in both cases.

2. Though notice has been served on respondents 4

W.P.(C) Nos. 16939 and 17059 of 2015

and 5 in W.P.(C) No.16939 of 2015 by special messenger, they have not entered appearance.

3. When the matter is taken up today, the petitioner in W.P.(C) No.16939 of 2015 has along with I.A.No.7689 of 2015 produced additional Exhibits P7 to P10. Exhibit P8 shows that, the 4th respondent in the said writ petition has already been granted admission in the MES Medical College, Pernthalmanna, Malappuram to the MS Ophthalmology as Sl.No.2. Exhibit P9 shows that, the 5th respondent has been granted admission in the Jubilee Medical College, Thrissur to the MS Ophthalmology as Sl.No.13. It is also submitted by the counsel for the petitioner that the 4th respondent had not attended the counseling that was conducted on 06.06.2015. It is obvious that they are no longer interested in the outcome of the fresh counseling that was ordered, since they have already got admission to the respective specialties preferred by them.

4. Since the respondents referred to above have not entered appearance before this Court, we shall proceed on the assumption that they have no further complaints in the matter. In view of the above, it is not necessary for the 2nd respondent or the third respondent to take any further action on the basis of the fresh counseling that was conducted pursuant to Exhibit P6, on 06.06.2015. Admissions of the petitioners in these writ petitions on the basis of the counseling on 29.05.2015 are therefore only to be confirmed. It is so held. All the contentions raised by the petitioners and respondents in these writ petitions are left open.

These writ petitions are disposed of as above.

Sd/-
K.SURENDRA MOHAN,
JUDGE

Sd/-
MARY JOSEPH,
JUDGE