

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.5220 of 2014
and M.P.Nos.1, 2, 3 and 4 of 2014

E.Bharath
S/o.N.Elangovan

... Petitioner

vs.

1.The Tamil Nadu Dr.M.G.R.
Medical University
represented by its Registrar
No.69, Anna Salai,
Guindy, Chennai - 600 032.

2.The Controller of Examinations,
The Tamil Nadu Dr.M.G.R.
Medical University,
No.69, Anna Salai,
Guindy, Chennai - 600 032.

3.Coimbatore Medical College,
Coimbatore, represented by its Dean

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 20.11.2013 Ref.Lr.No.EX I(6)/50674/2013 issued by the second respondent and quash the same and consequently direct the respondents to permit the petitioner to continue his II year MBBS course along with his batch-mates who have passed I year MBBS during February 2013 additional batch examination.

For Petitioner : Mr.S.Thankasivan
For Respondents: Mr.Sanjay Ramasamy,
Standing counsel [R1 & R2]
Mr.M.L.Mahendran,
Government Advocate [R3]

O R D E R

Heard Mr.S.Thankasivan, learned counsel for petitioner, Mr.Sanjay Ramasamy, learned standing counsel for respondents 1 and 2 and Mr.M.L.Mahendran, learned Government Advocate for third respondent and perused the materials placed on record.

2. Petitioner has filed this writ petition seeking to quash the order of the second respondent dated 20.11.2013 and consequently, direct the respondents to permit the petitioner to continue his II year MBBS course along with his batch-mates who have passed I year MBBS during February 2013 additional batch examination.

3. It is not disputed by either side that the issue involved in this writ petition is squarely covered by the decision of this Court in W.P.Nos.17054, 17055 and 16194 of 2014 dated 27.01.2015, wherein an identical prayer was considered and the writ petitions were allowed. The operative portion of the order reads as follows:

"11. For all the above reasons, the petitioners are entitled to succeed and accordingly the Writ Petitions are allowed and the impugned order is quashed and the petitioners are permitted to continue their second year MBBS course and write the University examination during August 2014, along with their batch mates, who have passed first MBBS course during February 2013.

12. Pursuant to the interim orders granted by this Court, the petitioners were permitted to write their examination, however it appears that the results have been withheld. Since the Writ Petitioners have already written the examinations, the respondents are directed to publish the results within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed."

Following the above order, this Writ Petition is also allowed and the impugned order is quashed. The respondents are directed to publish the result of the examination for which the petitioner has appeared within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/- सतयमेव जयते
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Registrar,
Tamil Nadu Dr.M.G.R. Medical University
No.69, Anna Salai,
Guindy, Chennai - 600 032.

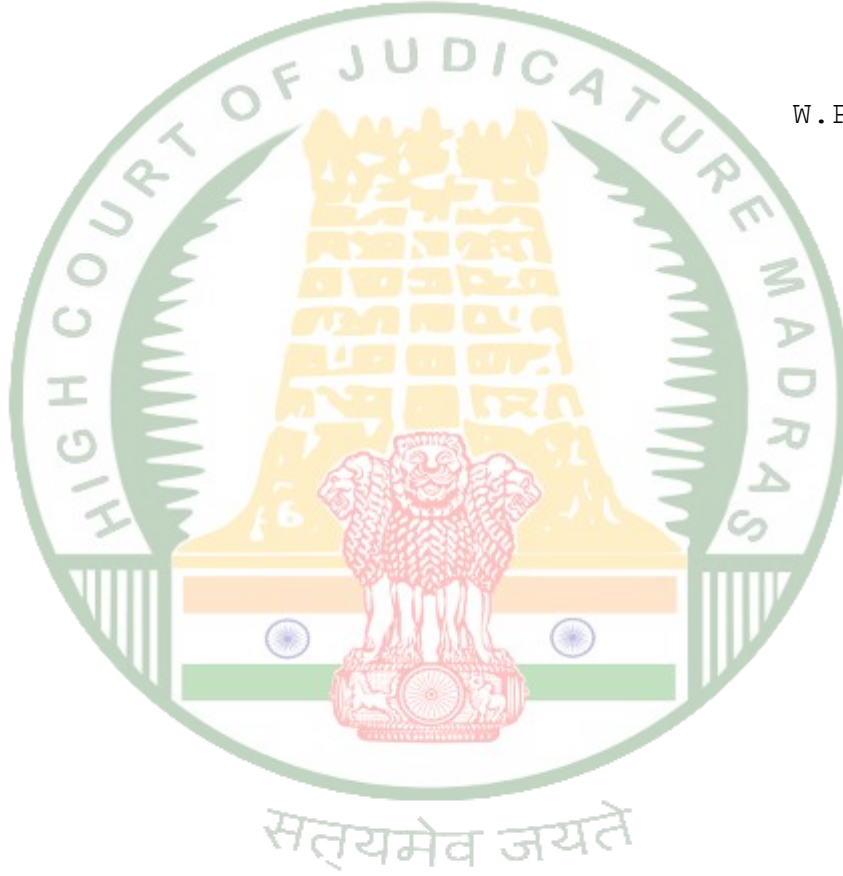
2.The Controller of Examinations,
The Tamil Nadu Dr.M.G.R.
Medical University,
No.69, Anna Salai,
Guindy, Chennai - 600 032.

3.The Dean,
Coimbatore Medical College,
Coimbatore.

+1 cc to Mr.S.Thankasivan, Advocate,SR.14636.

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krd 6/4

W.P.No.5220 of 2014



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