

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2015

CORAM

THE HONOURABLE DR. JUSTICE S.TAMILVANAN
and
THE HONOURABLE MR.JUSTICE C.T.SELVAM

Writ Appeal No.906 of 2015
and
M.P.No.1 of 2015

S.Kavya .. Appellant

.vs.

1. The Tamil Nadu Dr.MGR Medical University
rep. by the Registrar, Guindy,
Chennai-600 032.
2. Sree Mookambika Institute of Medical Sciences
rep. by the Principal,
VPM Hospital Complex,
Kulasekaram-629 161,
Kanyakumari District. .. Respondents

Prayer: Writ Appeal No.906 of 2015 is filed under Clause 15 of the Letters Patent against the order dated 09.04.2015 passed in W.P.No.33442 of 2014. WP.No.33442 of 2014: Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Mandamus directing the Respondents 1 and 2 to permit the petitioner to write IVth year MBBS Examination.

For Appellant : Mr.N.G.R.Prasad

For 1st Respondent : Mr.Sanjay Ramasamy

J U D G M E N T

(Judgment of the Court was pronounced by S.TAMILVANAN, J.)

The Writ Appeal is filed against the order dated 09.04.2015 passed in W.P.No.33442 of 2014 which was filed seeking to issue a Writ of Mandamus, directing the respondents 1 and 2 to permit the petitioner/appellant herein to write IV year M.B.B.S. Examination.

2. After hearing both sides, the aforesaid Writ Petition was dismissed by a learned Single Judge of this Court dated 09.04.2015. Aggrieved over the same, the

appellant has preferred the present Writ Appeal seeking the relief as stated above.

3. In the grounds raised in the affidavit filed in support of the Writ Appeal, it is stated that by an order dated 21.07.2014 in W.P.No.2902 of 2014 and M.P.No.1 and 2 of 2014 in W.P.No.1672 of 2014, learned Single Judge of this Court directed the appellant herein to write the two papers, namely, Micro Biology Paper I and II in the second year and after declaring her third year results, she was admitted to the IV year and the same has not been taken note of by the learned Single Judge and treated the appellant as a failed candidate. Further, it is also stated that the appellant has also written 4th year examinations. Hence, the 1st respondent should be directed to declare the results of the 4th year and allow her to join Compulsory Rotatory Residential Internship Training with the regular candidates.

4. On the other hand, the learned Counsel for the 1st respondent would contend that in view of the interim directions of this Court, the appellant was permitted to attend the 4th year along with regular batch and she has also written the 4th year examinations. He would further contend that now the 1st respondent is ready to publish the appellant's 4th year examination results and she may undergo Compulsory Rotatory Residential Internship Training, if she clears all the papers in the 4th year examinations with break batch students in October, 2015 and in case of failure to clear the 4th year examinations, she has to clear the arrears first and then proceed for the CRRI training.

5. Recording the said statement of the learned Counsel for the 1st respondent, the Writ Appeal is allowed accordingly. No costs. Consequently, connected Miscellaneous Petition is also closed.

सत्यमेव जयते Sd/-

Asst.Registrar (CO)

/true copy/

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Sub Asst. Registrar

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To
The Registrar, The Tamilnadu, Dr.M.G.R.Medical University,
Chennai 31.
+1 cc to Mr.Sanjay Ramaswami, Advocate, sr.51479
+1 cc to Mr.N.G.R.Prasad, Advocate, sr.51740

nm co,kra 19/10.