

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2015

CORAM

THE HONOURABLE Mr.JUSTICE M.SATHYANARAYANAN

W.P.No.10588 of 2015 and
M.P.No.1 of 2015

Dr.Ashwin Rao

... Petitioner

Vs.

1.The Medical Council of India,
Rep by its Secretary, Pocket 14,
Sector-8, Dwarka Phase-I,
New Delhi - 110 077.

2.Christian Medical College,
Represented by its Principal,
IDA Scudder Road,
Vellore, Tamil Nadu - 632 004.

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to issue the completion certificate, assessment reports and other documents to the petitioner indicating the completion of his CRRI (Compulsory Rotatory Resident Internship) from 01.06.2014 to 31.03.2015 in terms of the GME (Graduate Medical Education) Regulations issued by the first respondent.

For Petitioner

: Mr.Thriyambak J.Kannan

For Respondent-1

: Mr.V.P.Raman

For Respondent 2

: Mr.Krishnasrinivas

for M/s.Ramasubramanian Associates

For Respondent-3

: Mr.Anand David

O R D E R

By consent, this Writ Petition itself is taken up for final disposal.

2. The petitioner was a student of the Government Mohan Kumaramangalam Medical College and Hospital, Salem, wherein, he has passed the degree of Bachelor of Medicine and Bachelor of Surgery (MBBS) during February, 2014. The petitioner, after passing the said examination, was given a Provisional Certificate by the third respondent, bearing Registration No.52093703 and the Tamil Nadu Medical Council also issued a Provisional Certificate, bearing Registration No.1587/2014, valid from 28.03.2014 to 27.03.2015. As per Chapter V of Graduate Medical Education Regulations, (for short, GME Regulations), a student, who has passed MBBS exam held by any Medical College, is entitled to receive Degree after completion of one year (12 months) of Compulsory Rotatory Resident Internship training (in short CRRI training). Thus, in terms of Chapter V of the GME Regulations, the petitioner, is entitled to receive degree after the completion of one year CRRI training, as he passed MBBS examination in the Medical College, as mentioned above.

3. According to the petitioner, the abovesaid Regulations, does not contemplate that the entire period of CRRI has to be done in a single College. As per the guidelines of the Tamil Nadu Medical Council, a candidate may be permitted to transfer his CRRI training, provided, he ought to have undergone the said internship training in his parent Institution, for a minimum period of 2 months. According to the petitioner, he has commenced CRRI training in his parent Institution, viz., Government Mohan Kumaramangalam Medical College and Hospital, Salem, between 28.03.2014 and 27.05.2014, during which period, he has completed the course on Community Medicine, and got a score of 27 out of 30 in the said course.

4. Thereafter, the petitioner made a request to the third respondent for transfer of CRRI training to any other College, and the third respondent also, vide letter, dated 15.04.2014, issued No Objection Certificate indicating "No Objection" on their part to transfer the remaining period of CRRI training from Government Mohan Kumaramangalam Medical College and Hospital, Salem to other institution, viz., Christian Medical College, Vellore, viz., the second respondent herein. Accordingly, the petitioner joined the second respondent/College, and commenced his CRRI training on 01.06.2014, and while undergoing the said training, simultaneously, he appeared for an Entrance Examination in Master Course at Mahatma Gandhi Medical College and Research Institute, Sri Balaji Vidyapeeth (Deemed University), Puducherry, and he secured third rank in the said Entrance Examination. In terms of the prospectus of the said Sri Balaji Vidyapeeth University, the petitioner has to complete CRRI by 30.04.2015, for getting admission for Post Graduate Course.

5. The petitioner would further state that, though he has completed 2 months CRRI training in his parent College, the second respondent has issued a letter, dated 01.04.2015, to the petitioner, indicating that the petitioner would be relieved only on 31.05.2015, after completion of 12 months of CRRI in their Institution. Aggrieved by the same, the petitioner has come forward to file this Writ Petition.

6. Heard the submissions of Mr.Thriyambak J.Kannan, learned counsel appearing for the petitioner, who has drawn the attention of this Court to the relieving order, dated 27.05.2014, passed by the Dean of Government Mohan Kumaramangalam Medical College, Salem, wherein, he has stated that the petitioner has completed two months of internship at their College for the period from 28.03.2014 to 27.05.2014 and has to undergo the remaining period of CRRI training in new the Institution, in the postings as mentioned below :-

1.	Casualty	15 days
2.	Elective Postings	15 days
3.	Medicine	1 ½ months
4.	Psychiatry	15 days
5.	ENT	15 days
6.	Ophthalmology	15 days
7.	Surgery	1 ½ months
8.	Anesthesia	15 days
9.	Ortho (Including PMR 7 days)	1 month
10.	O & G including FW	2 months
11.	Paediatrics	1 month

7. The learned counsel for the petitioner submitted that when the Dean of the College, where, the petitioner has completed his MBBS degree has clearly stated that the petitioner has completed two months of internship at their College, there cannot be any difficulty or impediment on the part of the second respondent/College to give relieving order, or certificate, so as to enable the petitioner to join his post graduate course at Mahatma Gandhi Medical College and Research Institute.

8. On the aforesaid submissions of the learned counsel appearing for petitioner, heard Mr.V.P.Raman, the learned counsel for first respondent/Medical Council of India, Mr.Krishnasrinivas and Mr.Anand David, the learned counsels, who accepts notice for the second respondent/CMC and third respondent/Dr.M.G.R Medical University respectively.

9. The learned counsel appearing for the second respondent, on instructions, submitted that the second respondent/Institution is ready to certify that the petitioner is undergoing CRRI training from 01.06.2014 and completed postings, (as mentioned in the above tabular column) in various Departments and with further instructions that the petitioner has to complete his training on 31.05.2015, and also undertakes to issue certificates in this regard. The learned counsel appearing for the second respondent has also produced the photocopies of certificates, dated 25.04.2014, and prays for appropriate orders.

10. In response to the abovesaid submissions of the learned counsel appearing for the second respondent, the learned counsel appearing for the petitioner would submit that the second respondent may be directed to issue certificates to the petitioner after completion of CRRI training on 31.05.2015, since the said certificates are very much required for the petitioner to join Post Graduate Course. The petitioner also given an undertaking that he would complete his CRRI training by 31.05.2015.

11. In the light of the same, this Court directs the second respondent/College to issue two certificates viz., i) To Whom it may Concern and ii) Certificate of Compulsory Rotatory Resident Internship, dated 25.04.2015, bearing Ref No.1/A1/19H, to the petitioner directly on or before 30.04.2015.

12. In the result, the Writ Petition is disposed of, on the abovesaid terms. No costs. Consequently, connected M.P is closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

sd/ds

To

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Guindy, Chennai - 600 032.

1 cc to M/s. Mr.Thriyambak J.Kannan, Advocate, sr. 23616
1 cc to M/s. S.Ramasubramaniam & Associates, Sr. 23583

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