

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.18096 of 2015

and

M.P.No.1 of 2015

Franila F.Joseph

Minor

rep. By her father & Natural Guardian

Dr.Franklin Joseph

...Petitioner

vs

1. The State of Tamil Nadu

Rep. By the Secretary to Government
Health and Family Welfare Department
Fort St. George, Chennai 600 009

2. The Selection Committee

For Admission to 1st Year MBBS Degree Course 2015-16
Directorate of Medical Education
Rep. By its Secretary
No.162, Periyar, EVR High Road
Kilpauk, Chennai 600 010.

3. The Medical Council of India

Rep. By its Secretary
Dwaraka Phase, New Delhi

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the respondents from admitting students who passed the Higher Secondary Examinations during March, 2014, or any other previous academic years to the First Year Integrated MBBS Degree Course 2015-2016, and directing the respondents to admit only the students who have passed the Higher Secondary Examinations held during March, 2015, to the First Year Integrated MBBS Degree Course.

For Petitioner : Mr.V.Selvaraj

For Respondents : Mrs.P.Rajalakshmi
Government Advocate
for RR1 & 2

Mr.V.P.Raman for R3

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The deponent of the affidavit filed in support of the writ petition, viz. the father of the petitioner-candidate, claims that his daughter wrote Higher Secondary Examination and secured 1173 out of 1200 and her cut-off mark is 195.75 in respect of admission to MBBS Course 2015-2016, and the respondents are treating the students, who passed Higher Secondary Examination held during 2015, on par with the students, who passed such Examination held during the previous academic years, and the said treatment is discriminatory and violative of Article 14 of the Constitution of India and hence, the petitioner came forward with this writ petition.

3.The Court heard the submissions of the learned Counsel appearing for the petitioner, Mrs.P.Rajalakshmi, learned Government Advocate, who accepted notice on behalf of the respondents 1 and 2, and Mr.V.P.Raman, learned Standing Counsel, who accepted notice on behalf of the third respondent.

4.A Division Bench of this Court has declined to grant the similar relief vide common judgment dated 26.6.2015, made in W.A.No.842 of 2015 batch etc. In view of the same, the petitioner, who is similarly placed, is not entitled to the relief and accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

nsv

To

1. The Secretary to Government
Health and Family Welfare Department
Fort St. George, Chennai 600 009
2. The Secretary
Selection Committee
For Admission to 1st Year MBBS Degree Course 2015-16
Directorate of Medical Education
No.162, Periyar, EVR High Road
Kilpauk, Chennai 600 010.

3. The Secretary
Medical Council of India
Dwaraka Phase, New Delhi

1 CC to the Government Pleader, SR.No. 32614

W.P.No.18096 of 2015

SR (CO)
PSI (13.07.2015)



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