

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.18441 of 2015

and

M.P.Nos.1 and 2 of 2015

P.Pratickshaa

Minor

Rep. By her father and Natural Guardian

A.Prem Kumar

...Petitioner

vs

1. The State of Tamil Nadu

Rep. By its Secretary

Health and Family Welfare Department

Fort St. George, Chennai 600 009

2. The Selection Committee

Rep. By its Secretary

Directorate of Medical Education

No.162, Periyar EVR High Road

Kilpauk, Chennai 600 010

3. 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 certiorarified mandamus calling for the entire files/records of the second respondent pertaining to the admission to the MBBS/BDS Course 2015-2016 session and quashing the present MBBS/BDS rank list 2015-2016 released on 16.6.2015, insofar as it contains the candidates qualified through the HSC Examinations held for the academic year 2012-2013, 2013-2014 and forbearing the respondents from permitting the students of the HSC Examination of the academic year 2012-2013, 2013-2014 to compete with the students of the HSC Examination for the academic year 2014-2015 for admission to MBBS/BDS 2015-2016 session and consequently, directing the respondents to issue new merit list with the students of the HSC Examination 2014-2015 alone to participate in the admission to the MBBS/BDS Course 2015-2016 in the Government or Self-financing Colleges in Tamil Nadu.

For Petitioner : Mr.S.S.Karthikeyan
For Respondents : Mrs.P.Rajalakshmi
Government Advocate
for RR1 and 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 1159 out of 1200 and her cut-off mark is 194.75 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 petitions are also dismissed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

nsv

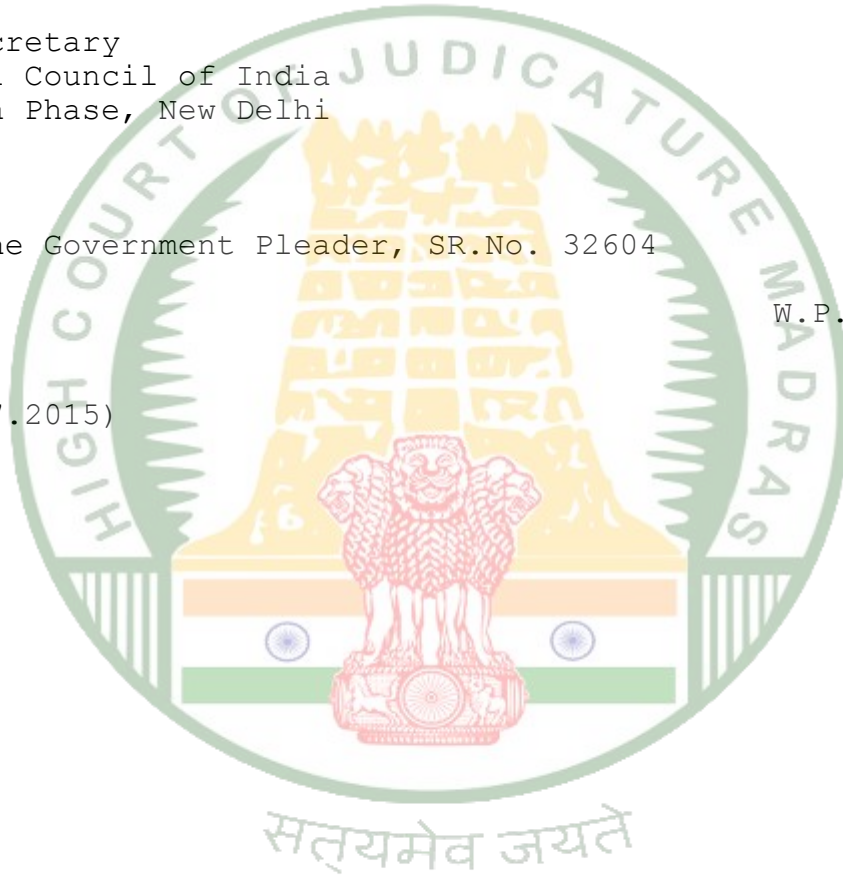
To

1. The Secretary to Government
Health and Family Welfare Department
Fort St. George, Chennai 600 009
2. The Secretary
Selection Committee
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. 32604

W.P.No.18441 of 2015

SR (CO)
PSI (13.07.2015)



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