

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.18988 of 2015 and M.P. No.1 of 2015

G. Harini

Petitioner

Vs.

- 1 The Director of Medical Education
Kilpauk
Chennai 600 010
- 2 The Medical Council of India
New Delhi
- 3 The Selection Committee
Director of Medical Education
Kilpauk
Chennai 600 010

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent not to include the candidates who passed Plus Two examination in previous years in the counselling conducted by the respondents for admission into MBBS/BDS course 2015-2016 session in various Government and Self-Financing Medical Colleges in Tamil Nadu State.

For petitioner Mr. T.P. Prabakaran

For respondents Mr. K. Karthikeyan
Government Advocate - Education

ORDER

(made by SATISH K. AGNIHOTRI, J.)

Mr. K. Karthikeyan, learned Government Advocate, accepts notice for the respondents. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the respondents not to include the candidates who passed Plus Two examination in previous years in the counselling conducted by the respondents for admission into MBBS/BDS course 2015-2016 session in various Government and Self-Financing Medical Colleges in Tamil Nadu State.

3 The aforesaid issue came up for consideration in Minor Kabhilan, represented by his father and guardian C. Murugan vs. Secretary, the Government of Tamil Nadu, Higher Education Department, Chennai - 9 and 71 others (W.A. No.842 of 2015 etc. batch).

4 A Division Bench of this Court, in which one of us (Satish K.Agnihotri, J.) was a Member, vide judgment dated 26th June 2015, dismissed the writ appeal and writ petitions, wherein, the prayer sought was identical to the one as in the instant writ petition. The relevant passage from the said judgment reads thus:

"35 For the reasons mentioned hereinabove, we are of the considered view that the Higher Secondary examination conducted by the State Board is the same examination, irrespective of the years. All the candidates, who have obtained qualifying examination certificate, as defined under the provisions of Section 2(g) of the Act, irrespective of the years of obtaining certificate, are eligible to compete for admission to the MBBS/BDS courses in the current year."

5 In view of the aforesaid judgment dated 26th June 2015, the instant writ petition fails and is accordingly dismissed. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar(la)

/true copy/

Sub Asst. Registrar

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cad

To

1 The Director of Medical Education
Kilpauk
Chennai 600 010

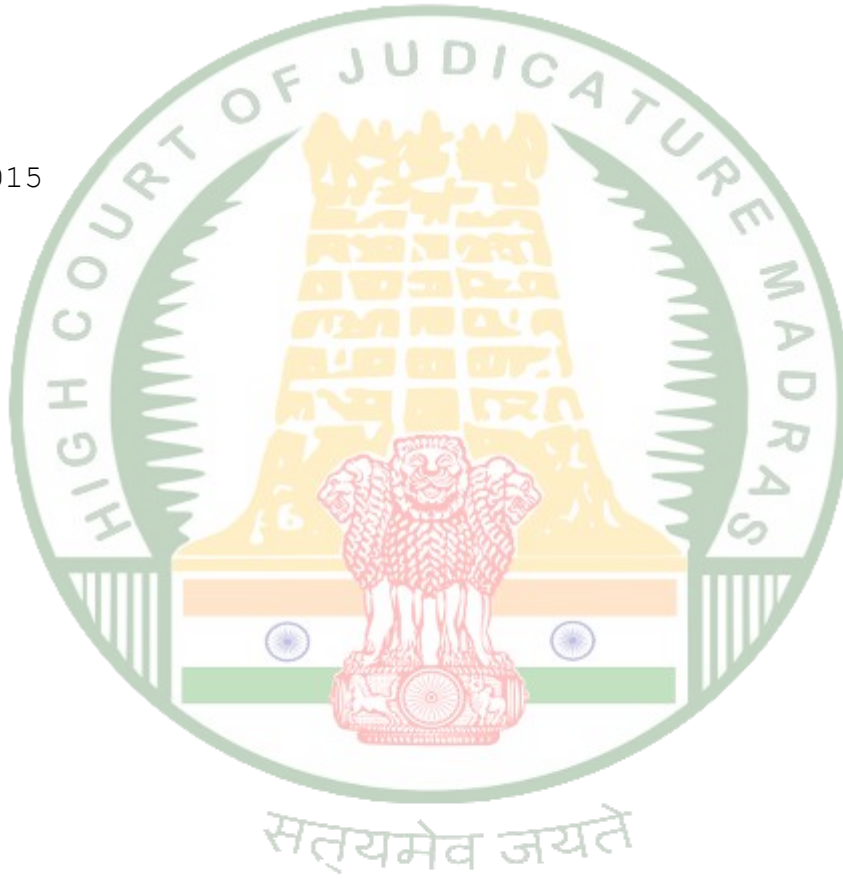
2 The Medical Council of India
New Delhi

3 The Selection Committee
Director of Medical Education
Kilpauk
Chennai 600 010

+1 cc to Government Pleader sr.43862

W.P. No.18988 of 2015

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