

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.23269 of 2015

Dr.M.Elavarasi

.. Petitioner

vs

The Dean
Employees' State Insurance
Corporation Medical College
& Post Graduate Institute of
Medical Science and Research
K.K.Nagar, Chennai 600 078

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to return the petitioner's all original certificates as per the common representation dated 22.7.2015.

For Petitioner : Mr.G.Justin

For Respondent : Mr.K.M.Venugopal

ORDER

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

2.The petitioner claims that she was selected under the All India Quota and joined M.S. (Obstetrics & Gynaecology) Course in the academic year 2012-2015, as a non-service candidate, and successfully completed the Course during May, 2015. The petitioner would state that since she is eligible to apply for higher studies, she requires the original testimonials/certificates submitted by her to the respondent, and since they were not returned, she has submitted a representation dated 22.7.2015, to the respondent and no orders have been passed so far and hence, she came forward to file this writ petition.

3.The learned Counsel appearing for the petitioner, has drawn the attention of this Court to the common order dated 13.2.2015, made in W.P.Nos.24604, 24605 and 25010 of 2014, and would submit that in similar facts and circumstances, this Court, after taking note of the letter addressed by the Secretary to Government to the Director of Medical Education, Chennai-10, dated 3.7.2014, has disposed of the said writ petitions and hence, prays for similar orders.

4.The Court heard the submissions of Mr.K.M.Venugopal, learned Standing Counsel, who accepted notice on behalf of the respondent, also.

5.It is relevant to extract the letter of the Secretary to Government addressed to the Director of Medical Education, Chennai 600 010, in No.37559/MCA.1/2012-3, dated 3.7.2014, as under:-

"Madam,

Sub: Medical Education - Request for
Original Certificate to the
Post Graduate Students studied
under All India Quota and
Non-Service Quota - Certain
instructions issued -
regarding.

Ref: Your Office Letters
No.43730/MEII/1/2013 dated
20.11.2013, 9.4.2014 and
30.6.2014.

I am directed to refer to your letters cited and to state that in the circumstances reported therein and in view of the orders of Hon'ble High Court of Madras in this issue, I am to convey the approval of the Government for release of all certificates to the All India Quota Post Graduates and Non-service Post Graduates of State Quota who have completed their courses immediately. Further instructions in this issue will be issued by the Government after arriving at a policy decision.

Yours faithfully,
Sd/-
P.Sadasivam
for Secretary to Government"

6.In the result, the writ petition is disposed of and the respondent is directed to dispose of the representation dated 22.7.2015, submitted by the petitioner, in accordance with law, after taking note of the above said letter addressed to the Director of Medical Education, and pass orders within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nsv
To:

The Dean
Employees' State Insurance
Corporation Medical College
& Post Graduate Institute of
Medical Science and Research
K.K.Nagar, Chennai 600 078

+1 cc to Mr.Justin Advocate sr.39699

W.P.No.23269 of 2015

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aa12/08/2015

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