

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.23656 of 2015, Contempt Petition No.1777 of 2015
&
M.P.Nos.1, 2, 3 & 4 of 2015

Dr.V.S.Dorairaj ...Petitioner in both the petitions

Vs.

1. The Tamil Nadu Medical Council
Rep. By its Registrar,
New No.914, Old No.569,
Poonamallee High Road,
Arumbakkam,
Chennai-600 106. ...1st respondent in W.P.23656 of 2015

1. Mr.Kandaswamy, Registrar,
The Tamil Nadu Medical Council
New No.914, Old No.569,
Poonamallee High Road,
Arumbakkam,
Chennai-600 106. ...1st respondent in Cont.P.1777 of 2015

2.Dr.P.Balakrishnan
3.Dr.M.S.Ashraf
4.Dr.K.Prakasam
5.Dr.Kumuthalingaraj
6.Dr.K.Senthil
7.Dr.J.A.Jayalal
8.Dr.R.V.S.Surendran

(Respondents 2 to 8 are now functioning
as Members in the 1st respondent Council
having office at New No.914, Old No.569,
Poonamallee High Road, Arumbakkam,
Chennai-600 106.

...Respondents 2 to 8 in both petitions

W.P.No.23656 of 2015 is filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the impugned resolution of the first respondent dated 29.07.2015, quash the same as illegal and consequently, forbear the respondents herein from in any way interfering or affecting the function of the petitioner as the president of the first respondent Council till the expiry of his term of office.

Contempt Petition No.1777 of 2015 is filed to punish the respondents for not obeying the order of this Court in M.P.No.3 of 2015 in W.P.No.23656 of 2015 dated 04.08.2015.

For Petitioner .. Mr.R.Abdul Mubeen
in both petitions

For Respondents .. Mr.R.Muthukumaraswamy, S.C.,
in both petitions for Mr.K.R.Narayanan for R1

Mr.AR.L.Sundaresan, S.C., for
Mr.S.Annamalai for R2 to R8

COMMON ORDER

Challenging the impugned resolution of the first respondent dated 29.07.2015, by which, the petitioner was removed as a President, the present writ petition has been filed.

2. When the matter is taken up for hearing, the learned counsels appearing for the respondents submitted that the impugned resolution dated 29.07.2015 would not be proceeded with. They also submitted that in the event of any action proposed against the petitioner for removing him from the post of President, there shall be an Agenda as per the Procedure.

3. In view of the submissions made, nothing survives for consideration. There is no impugned resolution that exist as on today, meaning thereby, the petitioner continues to be the President as on today. Accordingly, the writ petition stands disposed of giving liberty to the respondents concerned to proceed in accordance with law. Thus, the petitioner can only be non-suited by a fresh resolution in accordance with law. Contempt Petition No.1777 of 2015

is also closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

raa

To

The Registrar, Tamil Nadu Medical Council
New No.914, Old No.569,
Poonamallee High Road,
Arumbakkam, Chennai-600 106.

Copy to

The Sub Asst.Registrar (OS)
High Court, Madras.

1 CC to Mr.S.Annamalai, Advocate SR.No. 43322

1 CC to Mr.K.R.Narayanan, Advocate SR.No. 43323

1 CC to Mr.R.Abdul Mubeen, Advocate SR.No. 43254

W.P.No.23656 of 2015,
Cont. P.No.1777 of 2015

RSG (CO)
PSI (21.08.2015)

WEB COPY