

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2015

CORAM

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

W.P.Nos.25425 & 25787 of 2015

MP.NO.1/2015 IN WP.25425/2015

AND MP.NO.1 OF 2015 IN WP.25787/2015

1.***Kirthiga Thiagarajan**

2.Bharathi Kannan.R

3.Badrinath.T

4.S.P.Dharani Swathi

5.K.Sathya Narayanan

6.Shruthi Muralidharan

7.A.Nanditha

8.M.G.Preyanka

9.K.Abirami

.. Petitioners in
W.P.25425/2015

Nikitha Dharmaraju

.. Petitioner in
W.P.25787/2015

Vs.

1.State of Tamil Nadu,
Represented by its Secretary,
Health and Family Welfare Department,
Secretariat, Chennai-600 009.

2.The Medical Council of India,
Represented by its Chairman,
Pocket 14, Sector 18, Dwarka Phase-1,
New Delhi-77.

3.The Medical Council of Tamil Nadu,
Represented by its President,
914, Poonamallee High Road,
Arumbakkam, Chennai-600 106.

4.Dr.M.G.R. Medical University,
Represented by its Registrar,
69, Anna Salai, Guindy,
Chennai-600 032.

5.Melmaruthur Adhiparasakthi Institute
of Medical Sciences and Research,
Represented by its Dean,
Melmaruthur, Kanchipuram District-603 319.

.. Respondents
in both W.Ps.

Prayer: Petitions are filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the second respondent to register the names of the petitioners in Form A maintained as per Medical Council of India Regulation, 2000.

For Petitioner ... Mr.V.Raghavachari
in both W.Ps.

For Respondents ... Mr.P.Sanjay Gandhi,
in both W.Ps. Addl. Government Pleader for R1
Mr.V.P.Raman for R2
Mr.Veerakathiravan for R3
Mr.Anand David for R4
Mr.A.S.Balaji for R5

COMMON ORDER

When the writ petitions are taken up for hearing, the learned learned counsel appearing for the petitioners submitted that the petitioners are students for the academic year 2008-2009 ***2009-2010** with the fifth respondent College during that time. Admittedly, the permission was in vogue. Considering the very same issue with respect to the students of the academic year 2009-2010, this Court has passed the following order in W.P.Nos.16812 of 2015 dated 11.09.2015.

"17. Accordingly, the 2nd respondent is directed to send his recommendations to the 6th respondent by only taking into consideration of the piquant situation in which the petitioners and other students joined in the year 2009-10 are placed, within a period of four weeks from the date of receipt of copy of this order and based on the same, the 6th respondent will have to pass appropriate orders to include the petitioners along with the 5th respondent for the relevant year within a period of eight weeks thereafter, thus making it clear that it is applicable only

to the students who joined in that particular year. The order passed in the writ petition may also be made applicable to the students who joined in the year 2008-09, as they are also similarly placed. This direction, though positive in nature, is passed also by taking note of the decision taken by the 2nd respondent in respect of Shri Satya Sai Medical College, which was duly accepted by the 6th respondent. Insofar as the next batch of students after the petitioners are concerned, the respondents viz., particularly, the 2nd respondent will have to take appropriate decision in consultation with the other respondents, if so required. As the petitioners would be deprived from being considered for the P.G. Course, the respondents are directed to permit the petitioners to take part in the selection process of the said P.G.Course, as if they have valid and recognised degree. Considering the facts of the case, this Court is of the view that the 2nd respondent could have been more diligent while deciding not to recognise the Degrees, by taking appropriate steps to protect the interests of the students and so is the case of the other respondents. Therefore, this Court deems fit that it would be appropriate for the 2nd respondent to take appropriate steps much in advance in future when a similar situation might arise.

18. The writ petition is ordered accordingly. No costs. Consequently, the connected miscellaneous petition is closed."

2. The said order would govern the petitioners also. Accordingly, these writ petitions are disposed of on the abovesaid terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
ASSISTANT REGISTRAR (CO)
Dated : 27.10.2015

***Corrected as per order of this
court dated 06.11.2015 made in
W.P.No. 25425 & 25787 of 2015
Sd/- Assistant Registrar (CS-IV)
Dated : 06.11.2015**

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

raa

To

1.The Secretary, State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Chennai-600 009.

To be substituted to
the order already
despatched on 06.11.2015

2.The Chairman,
Medical Council of India,
Pocket 14, Sector 18, Dwarka Phase-1,
New Delhi-77.

3.The President, Medical Council of Tamil Nadu,
914, Poonamallee High Road,
Arumbakkam, Chennai-600 106.

+2 CC to MR.V.Raghavachari Advocate. SR.NO. 61510
+1 CC to MR.Veerakathiravan Advocate. SR.NO. 56871
+1 CC to MR.Anand David Advocate. SR.NO. 56793
+1 CC to MR.A.S.Balaji Advocate. SR.NO. 56576
+1 CC to MR. V.P.Raman Advocate. SR.NO. 56580
+1 CC to Govt.Pleader. SR.NO. 57457

W.P.No.25425 &25787
of 2015

CO-AK

JD 28/10/2015

PSI 06.11.2015

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