

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2014

CORAM

THE HON'BLE MR.SATISH K. AGNIHOTRI, ACTING CHIEF JUSTICE  
AND  
THE HON'BLE MR.JUSTICE M.M.SUNDRESH

W.P.No.20836, 24462, 29122, 5743 to 5745 and 3468 of 2013  
and 7767 of 2012  
and

M.P.Nos.1,3,1,1,2,2,2,2,3 of 2013 and 2 and 3 of 2012 and 1 of 2014

**W.P.No.20836 of 2013 :**

Doctors' Association for Social Equality,  
No.41, Chavadi Street,  
Pallavaram, Chennai-600 043  
represented by its  
General Secretary  
Dr.D.R.Ravindranath

.. Petitioner

Vs.

- 1.The Principal Secretary to Government,  
Health & Family Welfare Department,  
Fort St. George, Chennai-600 009.
- 2.The Director,  
Directorate of Medical Education,  
162, EVR Periyar Salai,  
Kilpauk, Chennai-600 010.
- 3.The Secretary,  
Selection Committee,  
Directorate of Medical Education,  
162, EVR Periyar Salai,  
Kilpauk, Chennai-600 010.
- 4.The Registrar,  
Tamil Nadu Dr.MGR Medical University,  
No.69,Anna Salai,  
Guindy, Chennai-600 032.
- 5.PSG Medical College and  
Research Institute,

- rep by its Dean, Avinashi Road,  
Coimbatore,  
Coimbatore District.
- 6.Christian Medical College Hospital,  
rep by tis Dean, Vellore,  
Vellore District.
- 7.Annamalai University,  
rep by its Dean,  
Annamalai Nagar,  
Chidambaram, Cuddalore Dist.  
(RR5 to 7 impleaded as per order  
dt. 17.9.2013 in M.P.No.2/2013)
- .. Respondents

**W.P.No.24462 of 2013 :**

Dr.Dhanasekaran .. Petitioner

Vs.

- 1.The State of Tamil Nadu,  
rep by its Secretary to Government,  
Health and Family Welfare (MCA1) Department,  
Fort St. George,  
Chennai-600 009.
- 2.The Tamil Nadu Dr. M.G.R. Medical University,  
rep by its Registrar (FAC)  
69, Anna Salai, Guindy,  
Chennai-32.
- 3.The Selection Committee,  
Post Graduate Degree / Diploma /  
6 year M.Ch (Neuro-Surgery) Courses,  
Directorate of Medical Education,  
Kilpauk, Chennai-10.
- 4.P.S.G. Medical College and Research Institute,  
rep by its Dean,  
Avinashi Road,  
Coimbatore District.
- 5.The Christian Medical College and Hospital,  
rep by its Dean,  
Vellore.
- .. Respondents

**W.P.No.29122 of 2013 :**

PSG Institute of Medical Sciences and Research,  
rep by its Principal,  
Avinashi Road,  
Peelamedu,  
Coimbatore-641 004.

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,  
represented by its Secretary to Government,  
Health and Family Welfare Department,  
Fort St. George,  
Secretariat, Chennai-600 009.
- 2.The Tamil Nadu Dr. MGR Medical University,  
represented by its Registrar,  
No.69, Anna Salai, Guindy,  
Chennai-600 032.

.. Respondents

**W.P.Nos.5743 and 5745 of 2013 :**

Rajas Dental College and Hospital,  
represented by its Chairman,  
Thirurajapuram,  
Kavalkinaru Junction,  
Tirunelveli District  
Pin-627 105.

.. Petitioner in  
W.P.No.5743 of 2013

J.K.K.Nataraja Dental College & Hospital,  
represented by its Secretary,  
P.B.No.151, Natarajapuram, NH-47,  
Komarapalayam-638 183,  
Namakkal District.

.. Petitioner in  
W.P.No.5744 of 2013

Ragas Dental College and Hospital,  
represented by its Secretary,  
2/102, East Coast Road,  
Uthandi, Chennai-110.

.. Petitioner in  
W.P.No.5745 of 2013

Vs.

- 1.The State of Tamil Nadu,

- represented by its Secretary to Government,  
Health and Family Welfare Department,  
Fort St. George,  
Secretariat, Chennai-600 009.
- 2.The Tamil Nadu Dr.MGR Medical University,  
represented by its Registrar,  
No.69,Anna Salai, Guindy,  
Chennai-600 032.
- 3.Tamil Nadu Private Dental Colleges Association,  
represented by its President,  
2/102, East Coast Road,  
Uthandi,  
Chennai-600 019.

.. Respondents in  
W.P.Nos.5743 to 5745  
of 2013

**W.P.No.3468 of 2013 :**

Christian Medical College Vellore Association,  
Ida Scudder Road, Vellore-632 004.  
represented by its Council Secretary

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,  
represented by its Secretary (Health),  
Fort St. George, Chennai.
- 2.The Director of Medical Education,  
Kilpauk, Chennai-600 010.
- 3.Tamil Nadu Dr.MGR Medical University,  
40-A, Anna Salai,  
Chennai-600 032.  
represented by its Registrar.

.. Respondents

**W.P.No.7767 of 2012 :**

Christian Medical College Vellore Association,  
Ida Scudder Road, Vellore-632 004.  
represented by its Council Secretary.

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,  
represented by its Secretary,

- Health and Family Welfare (MCA1) Department,  
Fort St. George, Chennai.
- 2.The Director of Medical Education,  
Kilpauk, Chennai-600 010.
- 3.Tamil Nadu Dr.MGR Medical University,  
40-A, Anna Salai,  
Chennai-600 032.  
represented by its Registrar. .. Respondents

**W.P.No.20836 of 2013** is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus directing the respondents 1 to 4 to disclose 50% of all Medical Radiology and Diagnosis (MDRD) Seats as well as other PG courses available in the private medical colleges as well as the State administered Annamalai University in the vacancy position for the PG admission 2013-14 session onwards to enable the medical students / Doctors aspiring to obtain admission in the Medical Radiology and Diagnosis (MDRD) course and other PG courses in accordance with his / her merit in the rank list published by respondents 1 and 3.

**W.P.No.24462 of 2013** is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus directing the first respondent to take all emergent steps to implement G.O.13 Health and Family Welfare (MCA1) Department, dated 22.1.2013 for selection of candidates for PG Degree courses throughout the State of Tamil Nadu for the year 2013-14.

**W.P.No.29122 of 2013** is filed under Article 226 of the Constitution of India praying for the issue of a writ of certiorari to call for the records of the first respondent in G.O.(Ms)No.13 Health and Family Welfare Department, dated 22.01.2013 and the consequential proceedings of the second respondent in Rc.No.Affln.IV(2) /01665/2012, dated 6.2.2013 and quash the same.

**W.P.Nos.5743 to 5744 of 2013** is filed under Article 226 of the Constitution of India praying for the issue of a writ of certiorari to call for the records of the first respondent in G.O.(Ms)No.13 Health and Family Welfare Department, dated

22.01.2013 and the consequential proceedings of the second respondent in Rc.No.Affln.IV(2) /01665/2012, dated 6.2.2013 and quash the same.

**W.P.No.3468 of 2013** is filed under Article 226 of the Constitution of India praying for the issue of a writ of certiorarified mandamus calling for the records pertaining to G.O.(Ms)No.13, Health and Family Welfare (MCA1) Department, dated 22.1.2013 and quash the same as being without authority and consequently forbear the respondents from interfering with the admission process for Post-graduate courses in the petitioner institution for the academic year 2013-2014 and for subsequent years and permit the petitioner to continue their admissions as in the previous years.

**W.P.No.7767 of 2012** is filed under Article 226 of the Constitution of India praying for the issue of a writ of certiorarified mandamus calling for the records pertaining to G.O.(Ms)No.65, Health and Family Welfare (MCA1) Department, dated 23.2.2012 of the first respondent and quash the same as being without authority and consequently forbear the respondents from interfering with the admission process for Post-graduate courses in the petitioner institution for the academic year 2012-2013 and thereafter permit the petitioner to continue their admissions as in the previous years.

For Petitioners : Mr.S.Thankasivan in WP No.20836 of 2013  
Mrs.Selvi George in W.P.No.24462 of 2013  
Mr.A.Jenasenan in W.P.No.29122 of 2013  
in W.P.Nos.5743 to 5745 of 2013  
Mr.Krishnasrinivasan  
for M/s.S.Ramasubramaniam & Ass.  
In W.P.Nos.3468 of 2013 and 7767 of 2012

For Respondents : Mr.M.S.Ramesh, AGP for RR1 to 3  
in W.P.No.20836 of 2013  
for R-1 in W.P.No.24462 of 2013  
for R-1 in W.P.No.29122 of 2013  
for R-1 in W.P.Nos.5743 to 5745 of 2013  
for RR1 and 2 in W.P.No.3468 of 2013  
for RR1 and 2 in W.P.No.7767 of 2012

Mr.Krishnasrinivasan  
for M/s.S.Ramasubramaniam & Ass. for R-6  
in W.P.No.20836 of 2013  
for R-5 in W.P.No.24462 of 2013

Mr.A.Jenasenan for R-5  
in W.P.No.20836 of 2013  
for R-4 in W.P.No.24462 of 2013

Mr.R.Sureshkumar for R-7  
in W.P.No.20836 of 2013

Mr.M.T.Arunan for R-8  
in W.P.No.20836 of 2013

Mr.Anand David for R-2  
in WP No.24462 of 2013,  
for R-2 in W.P.No.29122 of 2013

M/s.Narmadha Sampath for R-3  
in W.P.No.7767 of 2012

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### COMMON ORDER

In some petitions, the petitioners seek direction for admission to Post Graduate admission course in 2013-14 session and also to implement the Government Order in G.O.(Ms)No.13, Health and Family Welfare (MCA1) Department, dated 22.1.2013. In some writ petitions, the petitioners seek to quash the said Government Order as well as G.O.(Ms)No.65, Health and Family Welfare (MCA1) Department, dated 23.2.2012.

2.It is brought to the notice of the court that the admission was already

over for the said academic year. The students also have joined the course and the session has begun. At this stage, no useful purpose would be served to decide the academic issue. Leaving the question of law open to the petitioners, these writ petitions are dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

(S.K.A., A.C.J.) (M.M.S., J.)

04.07.2014

Index : Yes/No

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- 5.The Dean,  
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THE HON'BLE THE  
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