

M.P.No.1 of 2015
In
W.P.No.29394 of 2014

T.S.SIVAGNANAM

This petition has been filed seeking for clarification of the order and direction issued by this Court in W.P.No.29394 of 2014 dated 23.01.2015.

2.Heard Dr.Javad Khaja Moinudeen and other petitioners/Doctors in person. Heard Mr.R.Bharath Kumar, learned counsel for the petitioner, Mr.Veerakathiravan, learned counsel appearing for the Tamil Nadu Medical Council / respondents 1 and 2, Mr.V.P.Raman, learned counsel for the third respondent and Mr.R.Vijayakumar, learned Additional Government Pleader for the fourth respondent.

3.The writ petitions were partly-allowed by this Court by the order dated 23.01.2015 and the operative portion of the order reads as follows:

"6.Accordingly, the writ petitions are partly allowed and the petitioners are directed to produce their registration certificates before the 2nd respondent within a period of four weeks from the date of receipt of copy of the order only

for the purpose of making endorsement that certificate is equivalent to Indian MBBS Course. The petitioners cannot be compelled to sign any undertaking. It is made clear that such endorsement shall be made in the certificate already issued to the petitioners and the question of issuing new certificate does not rise. The endorsement shall be duly authenticated by the officers of the Tamilnadu Medical Council and returned to the petitioners within three days from the date on which the certificate is produced.

7.The learned counsel appearing for the 2nd respondent submitted that out of 1050 Doctors who have obtained M.D. Degree from Russian University, except petitioners, all of them have produced the certificate and an endorsements have been made, this submission is disputed by the learned counsel for the petitioner, however, this controversy need not be gone into, in the light of the above direction. Consequently connected miscellaneous petitions are closed. No costs."

4.Petitioners have no grievance as against the direction issued

and they are willing to produce the certificate before the Council for necessary endorsement in terms of the above direction. Their only apprehension is that the Tamil Nadu Medical Council will insist upon them to put their degree as MBBS in their prescription and in their name boards pursuant to such endorsement.

5.It is seen that there is no such direction or instruction issued by the Tamil Nadu Medical Council nor there is any direction issued by this Court while partly allowing the writ petitions. The endeavour of Tamil Nadu Medical Council is to make a small endorsement of the petitioners stating that the course which they have undergone in a foreign country is equivalent to MBBS and as recognized by the Medical Council of India. Apart from that there is no other instructions as to how their names should be displayed in their prescriptions or in their name boards. Obviously, the petitioners cannot put their degree as MBBS in their prescription and name boards since the degree awarded to them is MD by the University of Russia. Therefore, the petitioners prescription as well as name board shall display their names with their degree as MD (Russia) as hitherto done by them Russia or in the country where they have undergone degree.

T.S.SIVAGNANAM,J.

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6. In the light of the above, there is no necessity for any clarification and observations would suffice. It is made clear that only one of the writ petitioners has applied for clarification. It is needless to state the observations made in this order will be equally applicable to all the other writ petitioners in the writ petitions which were partly allowed by the common order dated 23.01.2015.

7. Time already granted by this Court is extended by two weeks from the date of receipt of a copy of this order.

16.03.2015

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Note: Issue order copy on 20.03.2015

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