

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.34108 of 2015 and M.P.No.1 of 2015

S.V.S.Educational and Social
Service Trust rep. by its Chairman Cum
Managing Director NO.74 Gandhi Road
Kallakurichi 606 202 Vizhupuram District ... PETITIONER

Vs.

- 1 Govt. of India Ministry of
Ayurveda Yoga & Naturopathy Unani Sidha &
Homeopathy (AYUSH) Ayush Bhavan B Block
GPO Complex 110 023 INA New Delhi 110 023
- 2 The Secretary
Central Council of Homeopathy NO.61-65
Institutional Area Opposite D Block
Janakpuri New Delhi 110 058
- 3 The Tamilnadu Dr.M.G.R.
Medical University rep. by its Registrar
No.69 Anna Salai Guindy Chennai 600 032
- 4 The Special Commissioner
Directorate of Indian Medicine and
Homeopathy Arignar Anna Hospital Complex
Arumbakkam Chennai -106 ... RESPONDENTS

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd and 4th respondents ie. The Tamilnadu Dr. M.G.R. Medical University and The Special Commissioner of Directorate of Indian Medicine and Homeopathy Arignar Anna Hospital complex Arumbakkam Chennai 600 106 to grant Affiliation to the petitioner Institution for admission of students Bachelor of Homeopathy Medicine and Surgery course (BHMS) for the academic year 2015-2016 in their college viz. S.V.S. College of Homeopathy and Research Institute Kallakurichi Villupuram District and further direct the 1st respondent to register the admission of the students for the academic year 2015-16.

For Petitioner

: Mr.N.G.R.Prasad for
Mr.K.Balakrishnan

For Respondent No.4

: Mrs.P.Rajalakshmi, G.A.

O R D E R

The petitioner's grievance has been substantially complied with in view of the order, dated 23.10.2015 signed on 26.10.2015 by the respondent No.3 by which the provisional affiliation has been granted to the petitioner after due inspection. It was done in pursuant to the order passed by the respondent No.1 and 2. Thus in law, there cannot be any objection for the respondent No.4 to include the petitioner in the on going Councelling. The said course will not only be help the petitioner but also students entitled to be admitted from the Government quota.

2 This writ petition stands disposed of by directing the respondent No.4 to include the petitioner college for admission of students in Bachelor of Homeopathy (Medicine) for the academic year 2015-2016 forthwith. The respondent No.3 is directed to send the requisite papers pertaining to the petitioner for Counselling forthwith.

The Writ petition stands disposed of accordingly, Consequently, M.P.No.1 of 2015 is closed. No costs.

Dt: 27.10.2015

This matter having been list under the capation "For being Mentioned" on 28.10.2015 pursuant to the order of this Court dated 27.10.2015 and made herein in the presence of Mr.Anand David, Advocate for the 3rd Respondent, and aforesaid counsels on either side, the court made the following order:

This matter is listed today under the caption "for being mentioned" at the instance of the learned counsel appearing for the 3rd respondent.

2. It is submitted by the learned counsel appearing for the 3rd respondent that a factual error has been crept in the order dated 27.10.2015 passed by this Court to the effect that there was a provisional affiliation already granted. It is not so, as the process is on and the same is likely to be completed within a period of two weeks.

3. Considering the above said submission, the order dated 27.10.2015 passed by this Court is re-called making it clear

that the counselling may go on by including the petitioner College and the said counselling followed by admission would be subject to the provisional affiliation, which is likely to be granted by the 3rd respondent. This order is passed by taking into consideration all other factors viz., other official respondents including Government of India(Ayur) have granted permission to the petitioner. The students are to be informed about this position. This order is also subject to further order to be passed.

4. The matter is directed to be listed for further hearing after two weeks.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

- 1 Govt. of India Ministry of
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- 3 The Special Commissioner
Directorate of Indian Medicine and
Homeopathy Arignar Anna Hospital Complex
Arumbakkam Chennai -106
- 4 The Section Officer,
Writ Section,
High Court, Madras.

+ 1 cc to Mr.K.Balakrishnan, Advocate SR 16186

+ 1 cc to M/s.Anand David, Advocate SR 16202

pa(co)
prk28/10

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and M.P.No.1 of 2015