

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. Nos.11568 of 2012, 14940 of 2013
and 13802 of 2014
&
Connected Miscellaneous Petitions

Indian Dental Association
Rep. By its Hon.State Secretary,
Tamil Nadu Branch,
No.137, John Selvaraj Nagar,
Kumbakonam. ... Petitioner in all WPs.

-vs-

- 1.The State of Tamil Nadu,
Rep. By its Secretary,
Health and Family Welfare Dept.,
Fort St. George, Chennai 600 009.
- 2.The Tamil Nadu Dr.M.G.R. Medical
University, Rep. By its Vice Chancellor,
No.69, Anna Salai, Guindy, Chennai-600 032.
- 3.The Addl. Director of Medical Education/
Secretary of Selection Committee,
Chennai - 600 010.
- 4.The Dental Council of India,
Rep. By its Secretary,
Aiwan-E-Galib Marg, Kotla Road,
New Delhi - 110 002.
- 5.The University Grants Commission,
rep. By its Chairman,
Bahadur Shah Zafar Marg,
New Delhi 110 002.
- 6.Union of India,
Rep. By its Secretary to Govt.,
Ministry of Human Resource and
Development, New Delhi.

- 7.Rajah Muthiah Dental College &
Hospital, Annamalai Nagar,
Chidambaram 608 002.
- 8.Sri Vinayaka Mission Research
Foundation Deemed University,
Tamil Nadu, Rep. By its Registrar,
Ariyanoor, Salem 636001
- 9.Meenakshi Ammal Higher Education
and Research Institute (Deemed
University), Rep. By its Registrar.
Maduravoyal - 602 102.
- 10.Saveetha Institute of Medical and
Technical Sciences (Deemed
University), No.162, Poonamallee
High Road, Chennai - 77, Rep. By its Registrar.
- 11.Sri Balaji Deemed University,
Chrompet, Chennai-44, Rep. By its Registrar.
- 12.Sri Ramachandra Medical College
Deemed University, Porur, Chennai-600 116,
rep. By its Registrar.
- 13.The SRM Dental College
Deemed University, Ramavaram,
Chennai-600 089, Rep. By its Registrar.
- 14.Thai Moogambigai Dental College
and Hospital, Golden George Nagar,
Mugappair, Chennai-600 107.
- 15.Ragas Dental College and Hospital,
No.181, E.C.R. Road, Uthandi, Chennai 600 006.
- 16.K.S.R. Institute of Dental Science and
Research, KSR Kalvi Nagar,
Tholavadi Post, Thiruchengode - 637 209.
- 17.Sri Mookambika Institute of Dental
Sciences, Rep.by its Principal,
Padanilam, Kulasekharam, Kanyakumari District - 629161
- 18.J.K.K.Natarajah Dental College and
Hospital,Rep.by its Principal, Natarajapuram,
Komarapalayam, Namakkal District-638 183.
- 19.Sri Ramakrishna Dental College and
Hospital, Rep.by its Principal,SNR Road, Avarampalayam,
Coimbatore 641 006.

20.Rajas Dental College and Hospital,Rep.by its Principal,
Thirurajapuram, Kavalkinaru Junction,
Thirunelveli - 627 105.

21.Nissy Elizabeth George
(R-21 impleaded as per order
dt. 16.05.2012 in MP.7/2012)

.. Respondents in WP.11568/2012

1.The State of Tamil Nadu,
Rep. By its Secretary,
Health and Family Welfare Dept.,
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2.The Tamil Nadu Dr.M.G.R. Medical
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8.Sri Vinayaka Mission Research
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Tamil Nadu, Rep. By its Registrar,
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9.Meenakshi Ammal Higher Education
and Research Institute (Deemed
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Maduravoyal - 602 102.

10. Saveetha Institute of Medical and Technical Sciences (Deemed University), No.162, Poonamallee High Road, Chennai - 77, Rep. By its Registrar.
 11. Sri Balaji Deemed University, Chrompet, Chennai-44, Rep. By its Registrar.
 12. Sri Ramachandra Medical College Deemed University, Porur, Chennai-600 116, rep. By its Registrar.
 13. The SRM Dental College Deemed University, Ramavaram, Chennai-600 089, Rep. By its Registrar.
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 19. Sri Ramakrishna Dental College and Hospital, Rep. by its Principal, SNR Road, Avarampalayam, Coimbatore 641 006.
 20. Rajas Dental College and Hospital, Rep. by its Principal, Thirurajapuram, Kavalkinaru Junction, Thirunelveli - 627 105. .. Respondents in WP 14940/13
-
1. The State of Tamil Nadu, Rep. By its Secretary, Health and Family Welfare Dept., Fort St. George, Chennai 600 009.

- 2.The Tamil Nadu Dr.M.G.R. Medical
University, Rep. By its Vice Chancellor,
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18.Sri Ramakrishna Dental College and
Hospital, Rep.by its Principal,SNR Road, Avarampalayam,
Coimbatore 641 006.

19.Rajas Dental College and Hospital,Rep.by its Principal,
Thirurajapuram, Kavalkinaru Junction,
Thirunelveli - 627 105. .. Respondents in 13802/14

Prayer in WP No.11568 of 2012: Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to directing the respondents to ensure and conduct admission of students to the Post Graduation Courses strictly as per the laws and regulations based on the merit based rank list published by the 2nd respondent and consequently direct the 1st and 2nd respondent to monitor and supervise the admission process to ensure proper transparent and merit based admission and pass such further or other orders as deem fit and proper.

Prayer in WP No.14940 of 2013: Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to directing the respondents to ensure and conduct admission of students to the post graduation courses strictly as per the laws and regulations based on the merit based rank list published by the 3rd respondent and consequently direct the 1st and 2nd respondent to monitor and supervise the admission process to ensure proper transparent and merit based admission.

Prayer in WP No.13802 of 2014: Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to directing the respondents to ensure and conduct admission of students to the Post Graduation MDS Courses for the Academic Year 2014-2015 strictly as per the laws and regulations based on the Merit based Rank List published by the 3rd respondent and consequently direct the 1st 2nd and 4th respondents to monitor and supervise the admission process to

ensure proper transparent and merit based admission.

For Petitioner : Mr.S.D.Venkateswaran
in all petitions.

For Respondents : Mr.K.Karthikeyan, G.A. (Edn.)
for RR 1 & 3 in all petitions.
: Mr.Anand David for R-2
in all petitions.
: Dr.Seethalakshmi for R-4
in all petitions.
: Mr.P.R.Gopinathan for R-5
in all petitions.
: Mr.S.Venkataswamy Babu,
SCGC for R-6 in all petitions.
: Ms.D.Geetha for R-7 in WP.11568/
2012 & 14940/2013()
: Mr.Satish Parasaran for R-7 in WP
13802 of 2014, R-8 in WP 14940/2013
& 11568/2012
: Mr.T.Meikandan for R-9 in WP 11568/
2012 & 14940/2013
: Mr.S.Saravanan for R-9 in WP 13802/
14 R-10 in WP 14940/2013&11568/12
: Mr.E.Manoharan for R-12 in WP
11568/12
: Mr.S.Rathnasabapathy for R-14 in
in WP 11568/2012 & R13 in
WP 13802/2014
: Mr.Sanjeevi for RR 15 & 19 in
WP 11568/2012
: Mr.Kandhan Doraisamy
for RR 16 & 18 in WP 11568/2012
: Mr.Godson Swaminath for R-17
in WP 14940/13 & 11568/2012
: Mr.S.Ramesh for R-21
: Mr.R.Muthukumarasamy
SC for Mr.A.Jeenasen for RR12, 15,
18 and 20 in WP 14940/13, RR11,14,
15,17 and 18 in WP 13802/2014.

* * * * *

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The Indian Dental Association has filed these petitions seeking directions to ensure and conduct admissions of students to the post graduate courses strictly as per law and regulations based on the merit. These petitions were filed for the academic

years 2012-2013, 2013-2014, 2014-2015. Certain interim orders were passed for the years in question.

2.The Revised MDS Course Regulations 2007, notified on 20.11.2007 have been placed on record and still subsist. There is, however, separately a challenge laid to these regulations in other petitions which would be examined. There is no stay in those matters.

3.It is, thus, trite to say that till such time the regulations are quashed or modified, they would continue to apply. We may notice that there are some aspects of interpretation of regulations also, which have been raised.

4.The present writ petitions have worked themselves out as the academic years are over and the regulations are in force till any order to the contrary is passed by this Court.

5.Writ Petitions, accordingly, stand disposed of. No costs. Consequently, connected M.Ps. stand closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

0Sub Asst. Registrar

sra

To

- 1.The Secretary,
State of Tamil Nadu,
Health and Family Welfare Dept.,
Fort St. George, Chennai.
- 2.The Vice Chancellor,
Tamil Nadu Dr.M.G.R. Medical
University, No.69, Anna Salai,
Guindy, Chennai.
- 3.The Addl. Director of Medical Education/
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- 4.The Secretary,
Dental Council of India,
Aiwan-E-Galib Marg, Kotla Road,
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5.The Chairman,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002

6.The Secretary to Govt.
Union of India,
Ministry of Human Resource and
Development, New Delhi.

7.The Director of Medical Education/Secretary of
Selection Committee,
Chennai.

+2 ccs to Mr.S.D.Venkateswaran, Advocate, sr.63983
+1 cc to Government Pleader, sr.64244
+1 cc to M/s.Anand David, Advocate, sr.64321
+1 cc to Mr.C.V. Subramanian, Advocate, sr.64391
+1 cc to Mr.S.Ramesh, Advocate, sr.64408
+1 cc to Mr.Muthumani Doraisami, Advocate, sr.63978
+1 cc to Dr.S.Seethalakshmi, Advocate, sr.64711
+2 ccs to Mr.Isaac Mohanlal, Advocate, sr.63964 and sr.63966
+2 ccs to Mr.S.Rathnasabapathy, Advocate, sr.64064 and sr.64065
+3 ccs to Mr.S.Saravanan, Advocate, sr.64099,64100 and 64101.

W.P.No.11568 of 2012, 14940 of 2013
& 13802 of 2014 and WP 14940/2013,
R2 to R4 & R15 to R20 in WP1506/12,
R1 to 6 & R8 to R20 in 13802/14
R1 to R4 in WP 15364/12

sld co, kra 10.12.2015

सत्यमेव जयते

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