

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P. No. 36555 of 2015

N.Ilayabharathi

...Petitioner

Vs.

1. The Registrar,
Pondicherry University,
R.Venkatraman Nagar,
Kalapet, Puducherry - 605 014.

2. The Controller of Examination,
Pondicherry University,
R.Venkatraman Nagar,
Kalapet, Puducherry - 605 014.

3. The Director/Dean,
Sri Manakula Vinagaya Medical College & Hospital,
Kalitheerthal Kuppam, Madagadipet,
Puducherry - 605 107.

4. The Medical Council of India,
Rep. by its Secretary,
Sector-8, Dwaraka Phase-I,
New Delhi - 110 007.

(R-4 is suo-motto impleaded as per
order dated 17.11.2015 in

W.P. No. 36555/15 and in M.P. No. 1/15)

...Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st and 2nd respondents to permit the petitioner to write his arrear papers in final year M.B.B.S. Course viz., General Surgery and Obstetrics and Gynecology schedule to be held on 20.11.2015 to 27.11.2015 (20th, 23rd, 25th and 27th) based on his representation dated 19.10.2015.

For Petitioner : Mr.K.Thilageswaran,

For Respondents 1 and 2 : Mrs.A.V.Bharathi,
For Respondent No. 4 : Mr.V.P.Raman.

ORDER

The petitioner started his studies in M.B.B.S. course way back in the year 2006. After clearing the hurdles in his way, now he reached the final year. Now, it appears that the last hurdle is regulation, which deals with the number of years required for clearing the course. The petitioner made a representation to the respondent Nos. 1 and 2 on 19.10.2015 seeking permission to appear for the university examination for one more time. As the said request has not been considered, the present writ petition is filed.

2. While, it is the case of the petitioner that the respondents will have to consider the case of the petitioner for extending the time limit prescribed for one more time, learned counsel appearing for the respondent Nos. 1 and 2 submitted that in this matter, the regulation, which stands as on today, does not provide for such a permission. The learned counsel appearing for the Medical Council of India-4th respondent has also expressed his inability to extend helping hand to the petitioner in the absence of any regulation in aid.

3. In matters like this, this Court cannot take the role of the authority constituted to look into such matters. As on today, there is no regulation in force to help the petitioner. Therefore, this Court only directs the respondent Nos. 1 and 2 to look into the grievance of the petitioner and pass appropriate orders on the petitioner's representation dated 19.10.2015, within a period of two weeks from the date of receipt of the copy of this order.

With the above direction, the present writ petition is disposed of. Consequently, the connected miscellaneous petition is also closed. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

rms/usk

To

1. The Registrar,
Pondicherry University,
R.Venkatraman Nagar,
Kalapet, Puducherry - 605 014.

2. The Controller of Examination,
Pondicherry University,
R.Venkatraman Nagar,
Kalapet, Puducherry - 605 014.

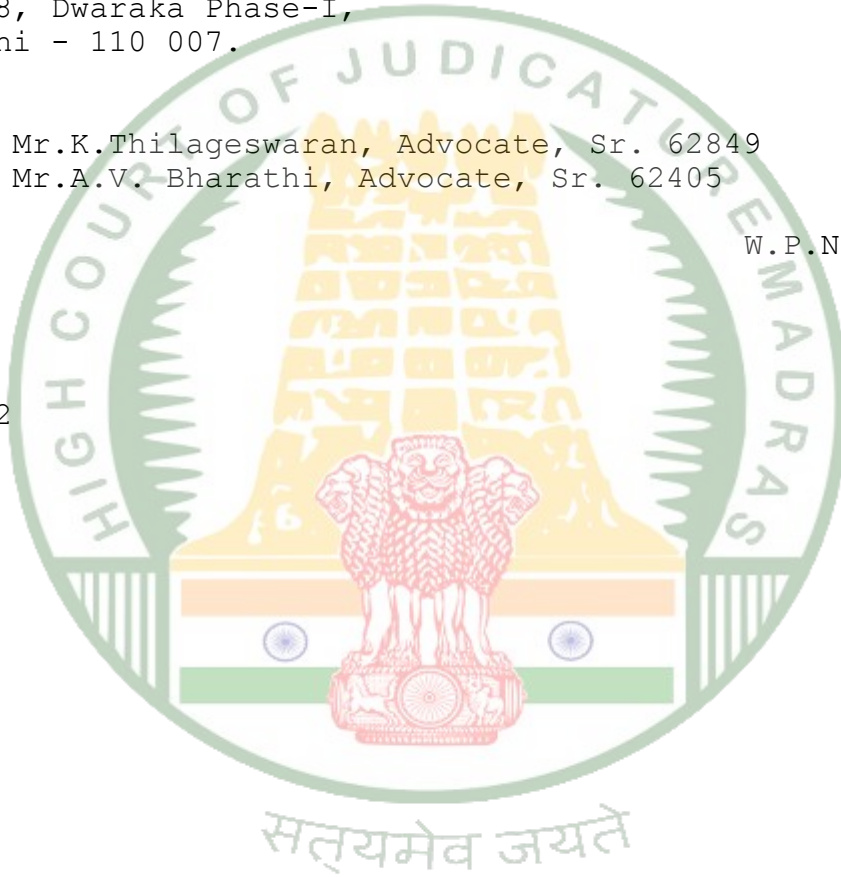
3. The Director/Dean,
Sri manakula Vinagaya medical College & Hospital,
Kalitheerthal Kuppam, Madagadipet,
Puducherry - 605 107.

4.The Secretary
The Medical Council of India,
Sector-8, Dwaraka Phase-I,
New Delhi - 110 007.

1 cc to Mr.K.Thilageswaran, Advocate, Sr. 62849
1 cc to Mr.A.V. Bharathi, Advocate, Sr. 62405

W.P.No. 36555 of 2015

VD (CO)
kk 23/12



WEB COPY