

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.40562 of 2015
& M.P.No.1 of 2015

Minor P.Priyadharshini,
Rep.by Guardian P.Palanivel,
No.90, Boyar Street,
Ward-1, Vadakkananthal Post,
Chinna Salem Taluk,
Villupuram District - 606 207. ... Petitioner

versus

1. The Director / Commissioner,
Indian Medicine & Homoeopathy,
Directorate of Indian Medicine & Homoeopathy,
Arignar Anna Government Hospital of Indian
Medicine Campus, Chennai - 600 106.
2. Selection Committee / Board of Examiners,
Rep.by its Secretary,
For Diploma Course in
Indian Medicine & Homoeopathy,
Directorate of Indian Medicine & Homoeopathy,
Arignar Anna Government Hospital of Indian
Medicine Campus, Chennai - 600 106. .. Respondents

PRAYER : Writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to issue application to the petitioner to the course of Diploma in Integrated Pharmacy [DIP] for the academic year 2015-2016 and to receive the filled-in application from the petitioner by permitting her to submit the same within a reasonable time to be fixed by this Court and to process the same for admission to the said course, on par with the other candidates.

For Petitioner	:	Mr.P.Rajavel
For Respondents	:	Mrs.P.Rajalakshmi Government Advocate

O R D E R

The petitioner has come forward with this Writ Petition, seeking a direction to the respondents to issue an application for the purpose of joining Diploma in Integrated Pharmacy [DIP] for the academic year 2015-2016.

2.Learned counsel appearing for the petitioner submitted that the petitioner could not take the application in view of the recent floods. He further submitted that the petitioner's father being an public servant working at Fire and Rescue Services Department had to work for flood relief.

3.Learned Government Advocate appearing for the respondents, on instructions, submitted that the last date for receipt of application is 30.11.2015. The application has been issued on-line. The petitioner having not availed the said opportunity cannot, belatedly, ask for application especially when the counselling is already over today.

4.In view of the submission made by the learned Government Advocate, the relief sought for cannot be granted.

5.Further, the learned counsel appearing for the petitioner submitted that out of 200 seats, only 70 seats have been filled up. If that is the case, public interest would suffer by non filling up of seats. Therefore, this Court directs the respondents to explore the possibility of conducting a second counselling. In such an eventuality, time for fresh application can also be given and after any student submits his application, the same can also be considered, ofcourse giving preference to the applications made earlier.

6.With the above said observations, this Writ Petition is disposed of. This Court expects that the official respondent would take an appropriate decision keeping in mind the larger public interest. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Director / Commissioner,
Indian Medicine & Homoeopathy,
Directorate of Indian Medicine & Homoeopathy,
Arignar Anna Government Hospital of Indian
Medicine Campus, Chennai - 600 106.

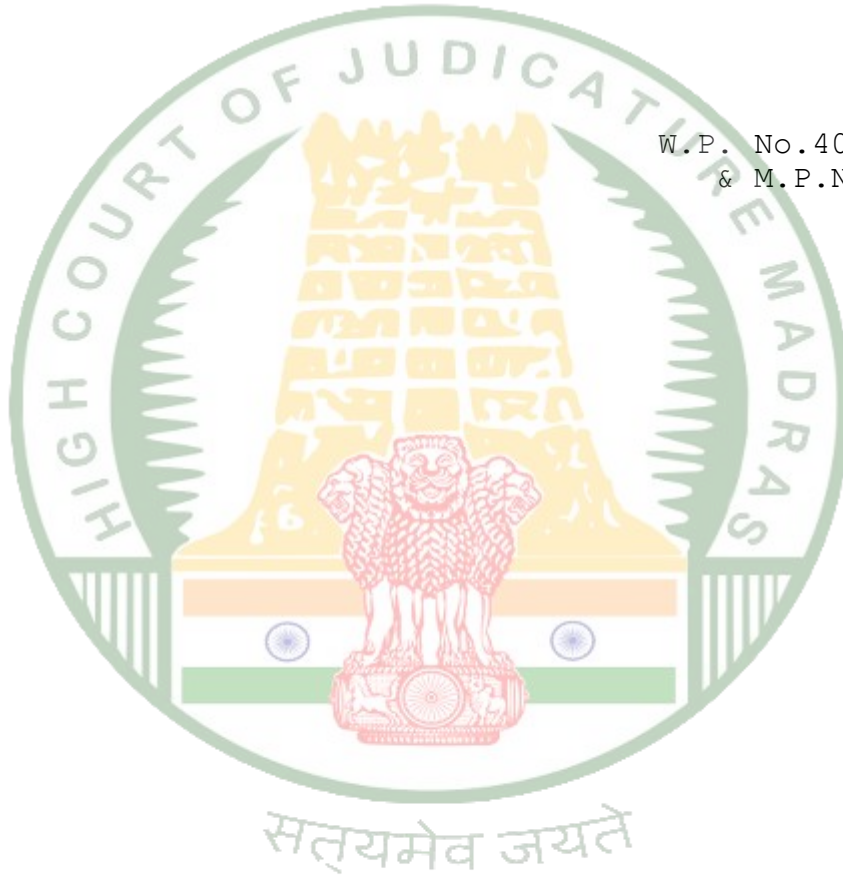
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Medicine Campus, Chennai - 600 106.

+ 1 cc to Mr.P.Rajavel, Advocate SR 69558

+ 1 cc to Govt.Pleader SR 69644

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