

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.9078 of 2015
and M.P.No.1 of 2015

Ms.Sultana Y.

... Petitioner

Vs

- 1 Pondicherry Institute of
Medical Sciences rep by its Director-
Principal Ganapathichettikulam Kalapet
Puducherry - 605 014.
- 2 The Controller of
Examinations Pondicherry University
Kalapet Puducherry 605 014.
- 3 The Medical Council of India
Rep by its Chairman MCI Building Pocket-14
Sector - 8 Dwarka Phase-1
New Delhi - 110 077 India. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the Second Respondent to grant 1(one) mark as grace marks towards the petitioners practical Examination to Paediatrics in the III Professional Part II M.B.B.S November 2014 Examinations as per Chapter-IV of the Medical Council of India regulations on graduate medical Education 1997

For Petitioner : Mr.Bharath Palle

For Respondents : Mr.V.P.Raman for R3
Mr.V.Balamurugan,G.A.for R2

ORDER

Heard Mr.Bharath Palle, the learned counsel for the petitioner and Mr.V.Balamurugan, learned Government Advocate appearing for R2 and with the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner has filed this writ petition for a writ of mandamus to direct the Second Respondent to grant 1(one) mark as grace mark towards the petitioner's practical Examination to Paediatrics in the III Professional Part II M.B.B.S November 2014 Examinations as per Chapter-IV of the Medical Council of India regulations on graduate medical Education 1997. The petitioner would rely on a decision of this Court in W.P.No.3272 of 2015 etc. batch, dated 16.2.2015.

3.Mr.V.Balamurugan, learned Government Advocate, accepting notice for the second respondent University, on instructions, submitted that the decision in the said writ petitions has absolutely no application to the case of the petitioner and it is clearly distinguishable.

4. In the light of the stand taken by the learned Government Pleader, the second respondent is directed to pass an appropriate order on the representation given by the first respondent institute, dated 5.1.2015, on merits and in accordance with law on or before 8.4.2015. The first respondent institute is directed to forward one more copy of the representation to the second respondent on or before 6.4.2015.

5. The writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

msk

-s/d-

Assistant Registrar(CS-II)

Dt:31/3/2015

True Copy

Sub-Assistant Registrar

To

- 1 The Director-Principal,
Pondicherry Institute of
Medical Sciences,
Ganapathichettikulam Kalapet
Puducherry - 605 014.
- 2 The Controller of
Examinations Pondicherry University
Kalapet Puducherry 605 014.

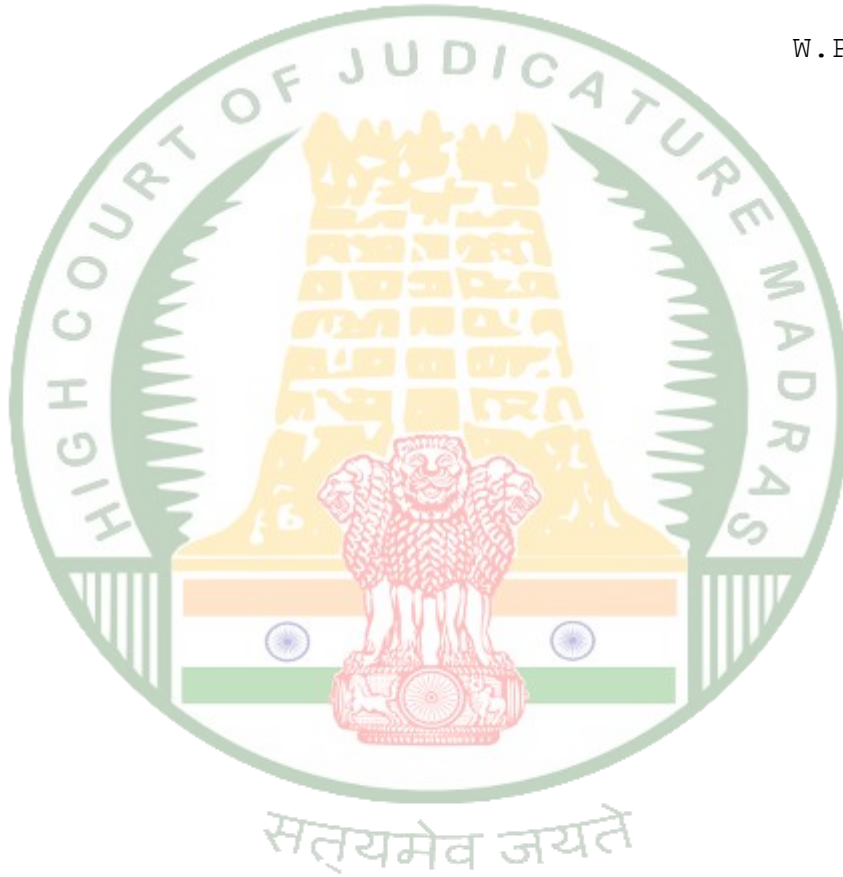
3 The Chairman
The Medical Council of India
MCI Building Pocket-14
Sector - 8 Dwarka Phase-1
New Delhi - 110 077 India.

+ 1 cc to M/s.Bharati Palle, Advocate SR 18047

+ 1 cc to Mr.V.Balamurugane, Advocate SR 18050

br(co)
prk31/3

W.P.No.9078 of 2015



WEB COPY