



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2015

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, THE CHIEF JUSTICE
and

THE HONOURABLE DR. JUSTICE S.TAMILVANAN

W.A. (MD) No.1444 of 2014
and M.P. (MD) No.1 of 2014

Dr.J.Mercy Rumya Florence

... Appellant

Vs.

1.The Secretary,
Government of Tamil Nadu,
Health Department, Chennai.

2.The Secretary,
Selection Committee,
No.162, E.V.R.Periyar Salai,
Kilpauk, Chennai 600 010.

3.The Director of Medical Education,
Kilpauk, Chennai 600 010.

4.The Deputy Director of Health Service,
Tirunelveli.

... Respondents

PRAYER: The Writ Appeal is filed under Clause 15 of Letters Patent, to set aside the order dated 22.09.2014 passed by a Learned Single Judge of this Court in W.P.(MD)No.6010 of 2012

WP(MD)No.6010 of 2012: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent herein to award 2 marks for the petitioner s 2 years rural medical service as per point No.41 in the prospectus issued by the 2nd respondent for the admission to POST GRADUATE DEGREE/DIPLOMA M.D.S./6 YEAR M.Ch. (NEURO - SURGERY) COURSES for the year 2012-2013 and allot one M.S. (O & G) obsterics and Gynaecology seat to the petitioner in any of the medical colleges in the state of Tamil Nadu.

For Appellant : Mr.K.K.Senthilvelan for
Mr.S.Haja Mohideen Gisthi

For Respondents : Mr.M.Govindan, Spl.G.P.

JUDGMENT

(Judgment of this Court was delivered by THE HON'BLE CHIEF JUSTICE)

சென்னை உயர்நீதிமன்றம் The appellant has in fact succeeded before the learned Single Judge and obtained compensation for loss of opportunity, which we are examining in the appeal filed by the Government. The appellant has already completed the course, though not her first preference.

2. In such a situation, there cannot be any priority for the future, which can be claimed by her. The appeal is dismissed. No costs. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub-Assistnat Registrar

To

1. The Secretary,
Government of Tamil Nadu,
Health Department, Chennai.

2. The Secretary,
Selection Committee,
No.162, E.V.R. Periyar Salai,
Kilpauk, Chennai 600 010.

3. The Director of Medical Education,
Kilpauk, Chennai 600 010.

4. The Deputy Director of Health Service,
Tirunelveli.

+One cc to Mr. S. Haja Mohideen Gisthi, Advocate, SR.No.5801

+one cc to the Special Government Pleader, SR.No.5873

nbj

RL/7c - 20/2/2015

W.A. (MD) No.1444 of 2014

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