



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2015

CORAM:

THE HONOURABLE Mr. JUSTICE T. RAJA

W.P. (MD) No. 16186 of 2015

and

M.P. (MD) No. 1 of 2015

Jeevitha Anusha Ravichandran

... Petitioner

Vs.

The Registrar,
The Tamil Nadu Medical Council,
New No. 914, Poonamalle High Road,
Arumbakkam,
Chennai 600 106.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to enroll the petitioner by issuing certificate of provisional registration to enable the petitioner to undergo the Compulsory Rotatory Residential Internship (CRRI) in any approved Medical College Hospital in the state of Tamil Nadu and consequently to issue certificate of permanent registration on her successful completion.

For Petitioner : Mr. J. Karl Jacob

For Respondent : Mr. Veera Kathiravan

O R D E R

The Writ petition has been filed by the petitioner viz., Jeevitha Anusha Ravichandran, to issue a Writ of Mandamus, directing the respondent to enroll the petitioner's name by issuing certificate of provisional registration to enable her to undergo the Compulsory Rotatory Residential Internship (CRRI) in any approved Medical College Hospital in the state of Tamil Nadu.

2. Mr. Veera Kathiravan, learned standing counsel takes notice for the respondent. By consent, the Writ petition itself is taken up for final disposal.

3. Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondent.

4. The petitioner after admitting in the International University of Health Sciences of West Indies for MBBS course, has completed 4 years course in the said University and thereafter, she appeared for screening test in the Medical Council of India in order to continue her educational programme by undergoing CRRI training in any one of the recognized Medical Institution to complete the academic degree of MBBS. After



completing her initial decree in the above said University, the Medical Council of India also declared her result on 01.06.2012 and published the same that she has passed in the Screening Test, which is an essential condition for registration of a Foreign Medical Graduation under the Medical Council of India Regulations. Due to a dispute arose with regard to the validity of the MBBS degree granted by a foreign country, the petitioner filed a Writ petition before the Hon'ble Kerala High Court in W.P.No.23676 of 2011 and by an order dated 01.10.2012 the said Writ petition was allowed. As against which, a Writ Appeal in W.A.No.1981 of 2012 has been filed and the same was dismissed. Based on which, our Madras High Court in W.P.No.5155 of 2015 has allowed the similar prayer on 08.04.2015 in the following terms:

"3.When the matter is taken up for hearing, Mr.Veera Kathiravan, the learned counsel appearing for the respondent produced a copy of the communication of Medical Council of India, dated 11.02.2015, and fairly stated that the issue involved in this case is squarely covered by the decision of the Kerala High Court in W.A.No.1981 of 2012 and that after taking the legal opinion, the Medical Council of India, decided not to prefer any appeal against the order passed in the Writ Appeal by the Division Bench of Kerala High Court.

4.In view of the same, the learned counsel appearing for the respondent fairly submitted that the case already been considered and that the application is under process for grant of provisional / permanent registration to the candidate, who are getting degree from the International University of the Health Science. He further submits that the petitioner has also to be considered, in the light of the Circular cited above.

5.Since the case of the petitioner with regard to the grant of provisional registration is pending, the same shall be considered in the light of the Circular and the decision of the Division Bench of Kerala High Court and depending upon the purpose of the candidates, the permanent registration would be considered, provided she will fulfil the conditions as decided by the Medical Council of India from time to time.

6.With the above directions, this writ petition is disposed of. No costs. Consequently, connected M.P.is closed."

5.Since the issue raised in the present writ petition is covered, the respondent herein is hereby directed to issue certificate of provisional registration to the petitioner to undergo the Compulsory Rotatory Residential Intership (CRRI) in any approved Medical College Hospital in the State of Tamil Nadu and issue the certificate of permanent registration on her successful competition. The learned standing counsel appearing for the respondent is also directed to give instruction to the respondent to abide by the Circular dated 11.02.2015.



6.The Writ petition is disposed of accordingly. No costs.
Consequently, connected M.P.is closed.

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/True Copy/

Sd/-
Assistant Registrar (Writs)

Sub Assistant Registrar

nbg
To
The Registrar,
The Tamil Nadu Medical Council,
New No.914, Poonamalle High Road,
Arumbakkam,
Chennai 600 106.

GJM/SKS/RR/15.10.15-3P-2C

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