

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.10367 of 2016

Dr. Anees Rehman

... Petitioner

Vs.

- 1 Union of India
Rep. by Secretary to Government Health and
Family Welfare Department New Delhi.
- 2 The Medical Council of India
Represented by its President Sector-8
Pocket-14 Dwaraka New Delhi-110 077.
- 3 The Secretary to Government
Health Department Government of Tamil Nadu
Fort ST George Chennai-9.
- 4 The Dean (Principal)
Mohan Kumaramangalam Government Medical
College Hospital Salem-636 001.
- 5 The Director of Medical
Education Kilpauk Chennai-10. ... Respondents

Writ petitions filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents herein more particularly the 4th respondent to return all the original certificates to the petitioner including MBBS Degree certificates Plus Two certificate submitted by the petitioner at the time of joining in the 4th respondent college

For Petitioner : M/s.A.R.Ramanathan

For Respondents : Mr.N.Vijaya Baskar (ACGSC) R1
for
Mrs. P. Rajalakshmi,
Government Advocate

ORDER

The present writ petition has been filed praying for a Writ of mandamus directing the respondents herein more particularly the 4th respondent to return all the original certificates to the petitioner including MBBS Degree certificates Plus Two certificate submitted by the petitioner at the time of joining in the 4th respondent college.

2. The petitioner who is a differently abled person, is a Doctor, who has passed M.B.B.S. degree in the year 2005-2009. The petitioner got admission during the first counselling in the Post Graduate Course, M.S.(Surgery) under the reservation quota and also in M.S.(Orthopaedic) in Government Mohan Kumara Mangalam Medical College, Salem during the second counselling. The petitioner preferred to join M.S.(Orthopaedic) Course and submitted all his Original Certificates in Government Mohan Kumara Mangalam Medical College, Salem. However, the petitioner due to his health problems could not continue his studies and discontinued the said course. The petitioner has submitted a representation dated 26-10-2015 for return of all his Originals to the fourth respondent, who in turn sent a letter dated 30-11-2015 to the petitioner, asking him to join the said course with condonation of delay. The petitioner, who is not interested in joining the said Course and is preparing to appear for the next Entrance Examination for seeking admission in better specialty course requests for the return of the Original Certificates and has also filed this writ petition, with the said prayer.

3. Heard the learned counsel for the petitioner and the learned Government Advocate.

4. Having regard to the facts and circumstances, the third respondent is directed to consider the representation dated 30-11-2015 of the petitioner and pass appropriate orders, on merits and in accordance with law.

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-s/d-
Assistant Registrar

True Copy

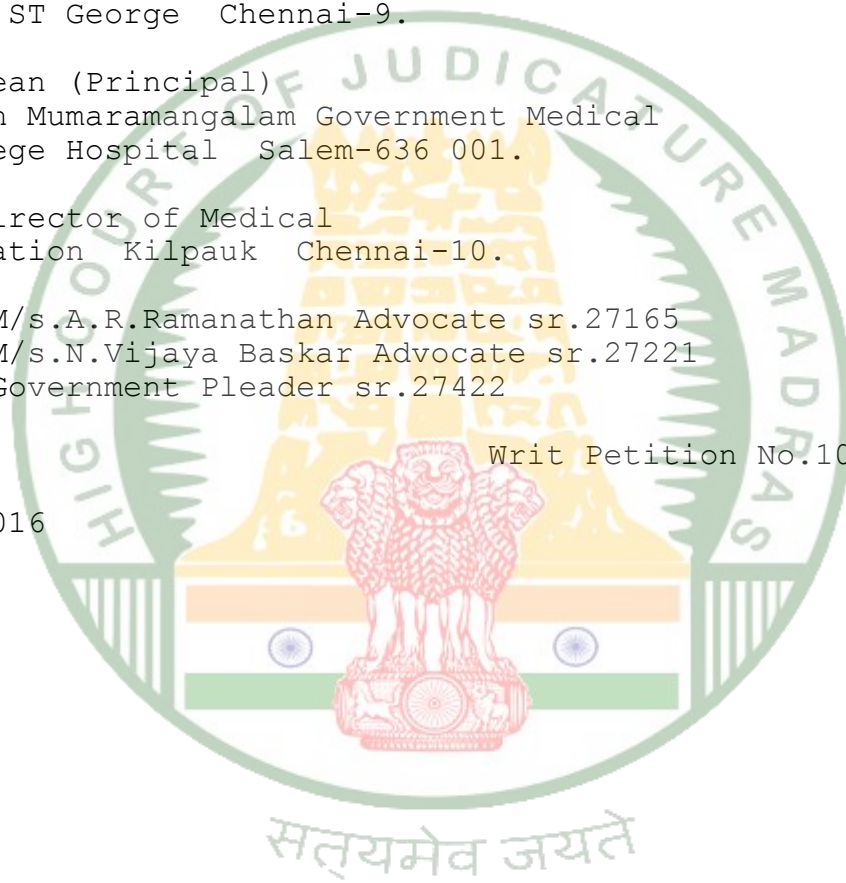
Sub-Assistant Registrar

To

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College Hospital Salem-636 001.
 - 5 The Director of Medical
Education Kilpauk Chennai-10.
- +1 cc to M/s.A.R.Ramanathan Advocate sr.27165
+1 cc to M/s.N.Vijaya Baskar Advocate sr.27221
+1 cc to Government Pleader sr.27422

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aa05/05/2016



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