

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.10.2015**

CORAM:

THE HONOURABLE MR. **JUSTICE SATISH K.AGNIHOTRI**

and

THE HONOURABLE MR. **JUSTICE K.K.SASIDHARAN**

Review Application (Writ) No.291 OF 2015

K.S.R.Institute of Dental Science & Research,
rep. By its Principal,
KSR Kalvi Nagar, Kuchipalayam (PO)
Thiruchengode 637 215
Namakkal District
versus

: Applicant

1. Dental Council of India
Rep. by its Secretary Aiwan-E-Galib Marg
Kotla Road New Delhi-110002.
- 2 Government of India
Rep. by its Secretary Ministry of Health &
Family Welfare Dept. Nirman Bhawan New
Delhi-110011.
- 3 The Tamil Nadu Dr. M.G.R.
Medical University Rep. by its Registrar
69 Anna Salai Guindy Chennai-32.
- 4 Director of Medical Examination
162 E.V.R. Periyar Salai
Kilpauk Chennai-10.
- 5 Selection Committee
Rep. by its Secretary Directorate of
Medical Examination 162 E.V.R. Periyar
Salai Kilpauk Chennai-10.

: respondents

Petition filed to review the order passed in W.A.No.1473 of 2015
dated 29.9.2015

For petitioner : Mr.Kandan Doraisami
For respondent : Mr.P.Wilson, Senior Counsel
for Dr.S.Seethalakshmi, SCGSC, for R-1
Mrs.G.Hema, ACGSC, for R-2

ORDER

(was made by K.K.SASIDHARAN, J.)

This Court entertained the intra court appeal filed by the Dental Council of India in W.A.No.1473 of 2015 and, in modification of the order passed by the learned Single Judge, directed the council to forward its report / recommendation to the Central Government by 5 p.m. on 29 September 2015. The Central Government in turn, was directed to take a decision in the matter in accordance with law. The Dental Council appears to have complied with the said order within the time stipulated by this Court. Thereafter the applicant has come up with this review petition on the ground that that another decision rendered by the Supreme Court was not taken into consideration while issuing direction to the Dental Council of India.

2. Heard the learned counsel for the applicant.

3. The review applicant wanted to review the judgment in W.A.No.1473 of 2015, taking into account the judgment rendered by the

Supreme Court in ***Royal Medical Trust (Regd.) vs. Union of India, 2015***

SCC Online SC 740.

4. While directing the Dental Council to send its recommendation, we made it clear that the Council should take a decision in accordance with law and taking into account the direction in ***Priya Gupta vs. State of Chattisgargh, 2012 (7) SCC 433***. The fact that the decision in ***Royal Medical Trust (Regd.)*** was not referred to in the said judgment cannot be a valid reason to review the judgment after compliance of our direction by the Dental Council.

5. The applicant now wanted rehearing of the very appeal and that too after passing orders by the statutory authority. We are therefore of the view that the applicant has not made out a case for review of the judgment in W.A.No.1473 of 2015.

6. In the upshot, we dismiss the review application. No costs.

(SATISH K.AGNIHOTRI, J.) (K.K.SASIDHARAN, J.)
27.10.2015

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SATISH K.AGNIHOTRI, J.
and

K.K.SASIDHARAN, J.

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