

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.24226 of 2016
WMP.No.20692 of 2016

C.Vassou

... Petitioner

Vs

1.Jawaharlal Institute of Post Graduate
Medical Education and Research (JIPMER)
by its Director, Pondicherry 605 006

2.The Dean (Academics),
Jawaharlal Institute of Post Graduate
Medical Education and Research (JIPMER)
Pondicherry 605 006

... Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the Respondents to include the name of the Petitioner's son Devanathan Vassou (Roll No.256020073), as per his rank, in the list of candidates for 2nd counselling for admission to MBBS Course-2016 in the 1st Respondent Institute, under the category of Puducherry - Unreserved (P-UR) scheduled to be held on 28.7.2016 or on any other day and thereby permit him to participate in the same enabling to exercise his choice of campus, before allowing the lower rank holders than him.

For Petitioner : Mr.S.Sathyamurthy

For Respondent : Mr.G.Rajagopalan, ASG assisted by
Mr.M.T.Arunan

ORDER

This Writ Petition is filed to issue a Writ of Mandamus to direct the Respondents to include the name of the Petitioner's son Devanathan Vassou (Roll No.256020073), as per his rank, in the list of candidates for 2nd counselling for admission to MBBS Course-2016 in the 1st Respondent Institute, under the category of Pondicherry - Unreserved (P-UR) scheduled to be held on 28.7.2016 or on any other day and thereby permit him to participate in the same enabling to exercise his choice of campus, before allowing the lower rank holders than him.

2. The learned Additional Solicitor General for the Respondent Institution has brought to the notice of this court that there is only one seat vacant, which has to be allotted to the 3rd Respondent in WP.No.24225 of 2016, who has been impleaded by the order dated 29.09.2016 made in WMP.No.29293 of 2016 in WP.No.25225 of 2016 and that since the said 3rd Respondent is the eligible candidate as on date to get the admission, they are ready to give the admission to him.

3. In so far as the Petitioner is concerned, now the Petitioner safely states that in future if there is any vacancy arises and if he is eligible for transfer, his name may be considered. According to the learned Additional Solicitor General, as a policy decision, they do not allow any transfer. Therefore, at this stage, this Writ Petition cannot be entertained and accordingly, it is dismissed. However, it is always open to the Petitioner to approach the authority if any vacancy arises in future.

4. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected MP is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Srcm

To:

- 1.The Director,
Jawaharlal Institute of Post Graduate
Medical Education and Research (JIPMER)
Pondicherry 605 006
- 2.The Dean (Academics),
Jawaharlal Institute of Post Graduate
Medical Education and Research (JIPMER)
Pondicherry 605 006.

+1cc to Mr.M.T.Arunan, Advocate, S.R.No.56177 (21.10.2016)

W.P.No.24226 of 2016

CTR(CO)
CA(18/10/2016)