

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.09.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.28965 of 2016
and
WMP NO.25039 of 2016

Rengarajan

.. Petitioner

Versus

1. The Government of India
Rep. by the Secretary to government
Ministry of Health and Family Welfare,
New Delhi.
2. The Director,
Jawaharlal Institute of Post Graduate
Medical Education and Research, (JIPMER)
Puducherry.
3. Medical Council of India
Pocket 14, Sector 8,
Dwaraka Phase I,
New Delhi-110 077.

.. Respondents

Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus directing the respondents to issue an order of admission in MBBS course at Jipmer Puducherry Campus (JPC) to the eligible candidate Manasa.R bearing Roll No.156050128 in the Jipmer MBBS Entrance Examination 2016.

For Petitioner : Ms. P.V. Rajeswari

For Respondents : Mr. M.T. Arunan for R2

O R D E R

This Writ Petition has been filed seeking for a Writ of Mandamus directing the respondents to issue an order of admission in MBBS Course at Jipmer Puducherry Campus (JPC) to the eligible candidate Manasa.R bearing Roll No.156050128 in the Jipmer MBBS Entrance Examination 2016.

2. When the matter is taken up for hearing, the learned counsel for the second respondent has filed a counter affidavit wherein in paragraph 11 it is stated as follows:

<https://hcservices.ecourts.gov.in/hcservices/>

"11. It is most respectfully

submitted that it is true that during the second counseling Manasa.R was not filled in that single vacancy since JIPMER admission committee awaited the outcome of the above said Wps. However the single vacancy for P-UR category in Puducherry campus is still there and the petitioner's daughter is also on the top rank as per policy of the Institute and she is living a fair chance if the Institute's policy is upheld by this Court. In order to avoid any complication arising out of any unexpected orders from the Hon'ble High Court, JIPMER admission committee was cautious and thought it prudent to wait for the final outcome of Wps."

3. Therefore, in law even as per the second counselling the petitioners daughter is eligible for admission. But, it is stated by the learned counsel for the second respondent that the second respondent apprehends that in the event of different conclusion being arrived at, in so far as the policy matter, which is pending before this court, the second respondent will be prejudiced. Therefore, the second respondent, as an institution shall not act in haste to avoid any future complication. However, it is stated that since already interim order was granted in the earlier writ petitions, the petitioner could be given a medical seat subject to the result of the Writ Petition. It is also submitted by the learned counsel for the second respondent that after the NEET result, since certain students have gone out of, there are totally seven vacancies and as the petitioner stands top, she will be considered for the third counseling.

5. Recording the said submission, this Writ Petition is disposed of by directing the respondents to consider the petitioner for admission in the third counseling in the Pondicherry campus. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

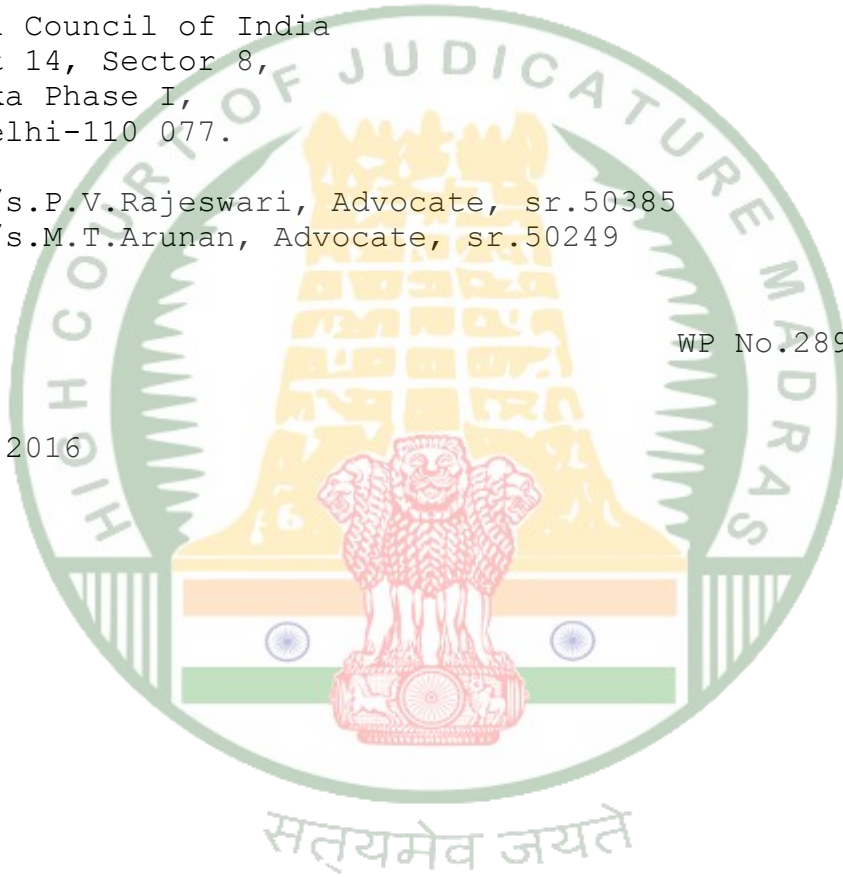
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1 cc to M/s.P.V.Rajeswari, Advocate, sr.50385

1 cc to M/s.M.T.Arunan, Advocate, sr.50249

WP No.28965 of 2016

mp co
kra 15.09.2016



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