

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.33526 of 2016

Rachna Gordhan Bhatia

..Petitioner

..Vs..

The President,
Tamil Nadu Medical Council,
Arumbakkam,
Chennai.

..Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or any other appropriate writ or directions in the nature of writ by directing the respondent herein to grant provisional registration in order to enable her to undergo compulsory Rotary Residential Internship in any approved Medical College Hospital in the state and for a consequential direction to grant permanent registration on successful completion of internship in the light of decisions of the Hon'ble Division bench of Kerala High Court in WA No.1981 of 2012 dated 29.08.2014 and order passed by this Hon'ble Court in WPMD No.5155 of 2015 dated 08.04.2015.

For Petitioner : Mr.V.Vijay Shankar

For Respondent : Mr.G.Sankaran

ORDER

Heard Mr.V.Vijayshankar, learned counsel for the petitioner and Mr.G.Sankaran, learned Standing counsel accepting notice on behalf of the respondent and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner seeks for a direction upon the respondent / Medical Council to grant her the Provisional Registration Certificate in order to undergo Compulsory Rotary Residential Internship [CRRI] in any of the approved Medical College Hospital.

3 The petitioner had completed her Medical Course from an University at West Indies. Thereafter, she appeared for the Eligibility Test conducted by the Medical Council of India and came out successful and an Eligibility Certificate to the said effect has been issued by the Medical Council of India dated 09.07.2016 and the petitioner has approached the respondent for grant of Provisional Registration Certificate, so as to enable her to complete the CRRI. This representation is now pending consideration of the respondent. It is pointed out by the learned counsel for the petitioner that the High Court of Kerala, with regard to the same Institution where the petitioner had undergone her MBBS course of study, i.e, at West Indies, considered somewhat a similar issue and In WA.No.1981/2014 dated 29.08.2014, passed orders holding that the course is an approved course and the said order of the Kerala High Court was followed by the Madurai Bench of this Court in WP [MD] No.5155/2015 [Sakina Abdul Rahman Vs. the President, Tamil Nadu Medical Council, Arumbakkam, Chennai] dated 08.04.2015.

4 In the considered view of this Court, if the petitioner has cleared the Screening Test conducted by the National Board of Exams, then there is no further requirement of obtaining any other clearances. Thus, taking note of these facts, the respondent is directed to consider the petitioner's representation dated 12.09.2016 and grant the Provisional Registration Certificate, so as to enable the petitioner to undergo CRRI in any approved Medical College Hospital. The above direction shall be complied with the respondent within a period of two weeks from the date of receipt of a copy of this order.

5 The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP

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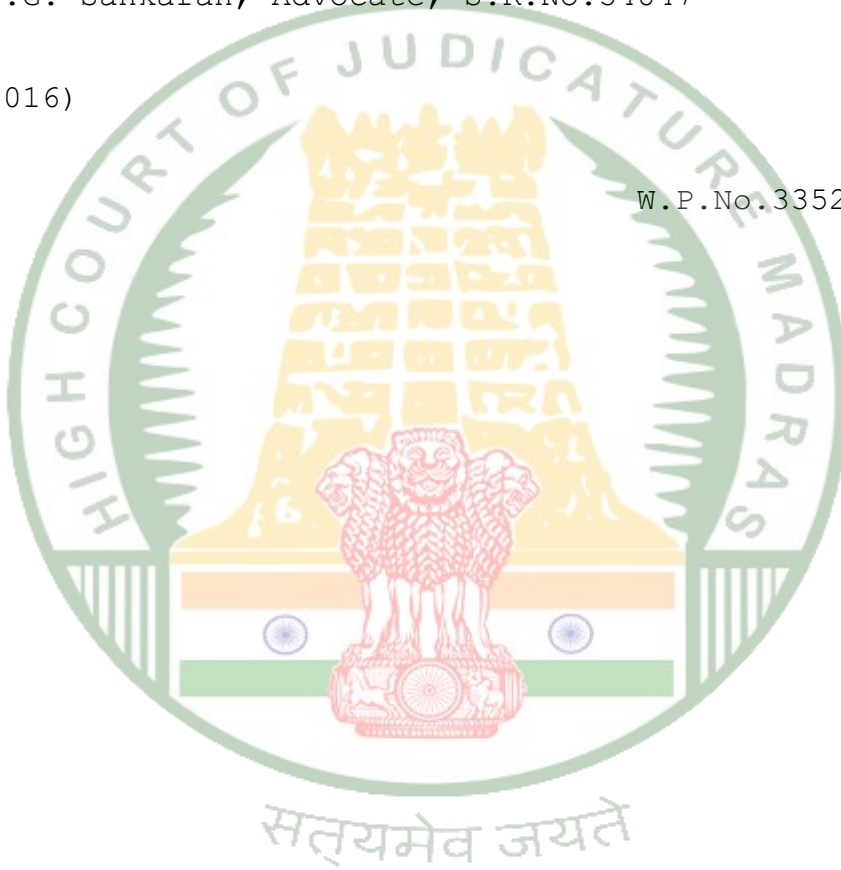
To

The President,
Tamil Nadu Medical Council,
Arumbakkam,
Chennai.

+1cc to Mr.V. Vijay Shankar, Advocate, S.R.No.54407
+1cc to Mr.G. Sankaran, Advocate, S.R.No.54847

TRM(CO)
EU(27/09/2016)

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