



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO

AND

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.A(MD)No.975 of 2016

and

C.M.P(MD)No.5788 of 2016

1.The State of Tamil Nadu,
represented by
The Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2.The Secretary,
Selection Committee,
Directorate of Medical Education,
No.162, Periyar EVR High Road,
Kilpauk,
Chennai - 600 010.

... Appellants/Petitioners

Vs.

1.P.G.Surya
represented through her
Father and Natural Guardian,
Dr.P.R.Ganesh, M.D., D.B.M.,
20/47, Koodal Alaghar Perumal Kovil,
Sannathi Street,
Madurai - 1.

2.D.Shilpa Charles
3.M.S.Rubini
4.K.Preethi
5.R.Gokulakrishnan
6.C.Abisha Merlin
7.K.Hemanandini
8.A.Sneka
9.Vairaven
10.V.Divya
11.A.Thaarini
12.G.Naveen

... Respondents/Respondents

PRAYER: Appeal filed under Clause 15 of the Letters Patent against
the order of the Madras High Court dated 28.09.2010 passed in W.P(MD)No.10783
of 2010.



Prayer in WP(MD). 10783/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents 1 and 2 to cancel the admission granted for the students who are qualified persons of some other profession namely Engineering, law, etc., or to those who are studying other professional courses, to reconsider the rank allotted to the petitioner's daughter, allot a seat for the first year MBBS Course either in the Government College or in the Self Finance College for the academic year 2010-2011.

For Appellants : Mr.M.Govindan
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by
NOOTY.RAMAMOHANA RAO.J.)

This appeal is directed against the order passed by the learned Single Judge in W.P(MD)No.10783 of 2010. The learned Single Judge directed the second respondent to reconsider the rank of the writ petitioner and allot a seat in the first year M.B.B.S. Course in any of the Government Medical Colleges or in the Self-Financing Colleges for the academic year 2010-2011, for the petitioner alone, provided the petitioner comes within the zone of consideration. Firstly, the admissions for the academic year 2010-2011 are required to be closed latest by 30.09.2010, pursuant to the directions issued by the Honourable Supreme Court with a view to prevent dragging on the admission process without any foreseeable end. Further, it appears that the writ petitioner secured 190.75 Cut-off marks with his General Rank being 3628A and Community Rank being 2270A. It appears, the last candidate granted admission in Government Medical Colleges secured 197.25 marks and the General Rank is 1255 and the last candidate who has been granted admission in Self-Financing Medical Colleges was with 195.75 marks and the General Rank is 2628 which is nearly a thousand ranks above that of the writ petitioner.

2. In that view of the matter, nothing survives for adjudication in the instant case, inasmuch as the writ petitioner did not stand a chance for grant of admission to the M.B.B.S., course for the academic year 2010-2011. Even otherwise, such an issue cannot be resolved after six years of duration passed by, when the course duration itself being six years.

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

3. For the aforesaid reasons, we do not find that the writ appeal would survive for any adjudication inasmuch as the writ



petitioner herself did not fall within the proximate closeness of a rank which can fetch admission in the Medical College. Accordingly, this writ appeal stands disposed of. No costs. Consequently, the connected civil miscellaneous petition is closed.

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Sd/-

Assistant Registrar(Crl.side)

Sub Assistant Registrar

To

1. The Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2.The Secretary,
Selection Committee,
Directorate of Medical Education,
No.162, Periyar EVR High Road,
Kilpauk,
Chennai - 600 010.

+1cc to special Government Pleader SR.No.32463

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and
C.M.P(MD)No.5788 of 2016
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