

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.06.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.577 of 2017
in
CMP No.8163 of 2017

Tamil Nadu Government Doctors Association
DAOS Quarters
Government Stanley Medical College Hospital
Rep. by its State Secretary
Dr.P. Balakrishnan

... Appellant

Versus

1. Dr.Rajesh Wilson

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

3. The Director of Medical Education,
Kilpauk, Chennai-600 010.

4. The Selection Committee,
The Director of Medical Education,
Kilpauk, Chennai-600 010.

5. The Medical Council of India,
Represented by its Secretary,
Pocket 14 Sector 8,
Dwarka Phase-I,
New Delhi-110 077

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 17.04.2017 passed in W.P.No.6031 of 2017 on the file of this court.

W.P.No.6031 of 2017 :

Writ Petition filed under Article 227 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd and 3rd respondents to implement the Regulation 9(4) of Post

Graduate Medical Education 2000 as amended by adding 30% mark on the marks secured by the petitioner in the NEET Examination while preparing the rank list for admission to Post Graduate Course in 50% reserved category for Government Servants for the academic year 2017-18 by passing orders on the representation dated 24.2.2017

For appellant : Mr.G.Sankaran

For R1 : Mr.G.Justin

For RR2 to 4 : Mr. T.N. Rajagopalan
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

The prayer in the writ petition is covered by judgment dated 6.5.2017 delivered in W.A.Nos.453 of 2017 and batch wherein it has been held thus:-

"75. The result of the above said discussions/findings is that the appellants are bound to strictly follow and implement Regulation 9 and more particularly, Regulation 9(IV) and proviso therein and ensure full compliance.

76. This Court, on an exhaustive analysis and thorough consideration and appreciation of the materials placed before it and also on independent application of mind, is of the considered opinion that the directions given in the judgment dated 3.5.2017 of the Honourable Mr.Justice S.M.Subramaniam, are in consonance with the settled legal position except with regard to identification of hilly and remote/difficult areas for the reasons assigned in paragraph No.74.

77. In the result, W.A.Nos.453, 484, 490, 491, 498, 499, 536 and 537 to 546 of 2017 are dismissed and the directions issued / moulded reliefs granted by the Honourable Mr.Justice S.M.Subramaniam, in paragraph No.71 of the common judgment dated 3.5.2017, except with regard to identification of hilly and remote/difficult areas done by the appellants in W.A.No.484/2017 in terms of proviso to Regulation 9(IV) of the Post Graduate Medical Education Regulations, 2000; are to be implemented forthwith. W.A.Nos.506 and 527 of 2017 are de-linked...."

2. In view of the above, this writ appeal also stands disposed of in terms of the judgment delivered in the above writ appeals. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Secretary to Government,
Health and Family Welfare Department,
St. George Fort,
Chennai-600 009.
2. The Director of Medical Education,
Kilpauk, Chennai-600 010.
3. The Selection Committee,
The Director of Medical Education,
Kilpauk, Chennai-600 010.
4. The Medical Council of India,
Represented by its Secretary,
Pocket 14 Sector 8,
Dwarka Phase-I, New Delhi-110 077

+1cc to the Government Pleader, S.R.No.40301

W.A.No.577 of 2017

SSI (CO)
CS/10/07/17

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