

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 01.08.2017**

**CORAM**

**THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM**

**Review Application No. 108 of 2017**

DR.D.MUTHU KUMARAN

.. Applicant

Vs

- 1 THE GOVT. OF TAMILNADU  
REP BY SECRETARY TO GOVT.  
HEALTH AND FAMILY WELFARE DEPARTMENT  
FORT ST.GEORGE  
SECRETARIAT, CHENNAI 600 009.
- 2 THE SECRETARY  
SELECTION COMMITTEE  
DIRECTORATE OF MEDICAL EDUCATION  
KILPAUK, CHENNAI 600 010
- 3 THE REGISTRAR  
THE TAMILNADU DR.MGR MEDICAL UNIVERSITY  
NO.69 ANNA SALAI  
GUINDY, CHENNAI 600 0032
- 4 THE SECRETARY  
MEDICAL COUNCIL OF INDIA  
MCI BUILDINGS,  
POCKET-14 SECTOR-8  
DWARKA, PHASE-I, NEW DELHI.

[ RESPONDENTS ]

Review Application Petition is filed to review the order dated 28.04.2017 in W.P.No.17882 of 2013.

For Applicant : Mr.AR.L.Sundaresan,  
Senior Counsel  
for Ms AL.Ganthimathi

For Respondents: Mr.K.Dhananjayan  
Spl. Govt. Pleader

### **ORDER**

Mr.AR.L.Sunderesan, learned Senior Counsel appearing on behalf of the applicant contended that by virtue of the interim order granted in the Writ Petition at the admission stage, the writ petitioner was permitted to sit for the Entrance Exam and on successful completion, he was admitted in the Course and completed the Course. Meanwhile, another order was also passed permitting him to sit for the examination. Thus, by virtue of the interim orders passed, the writ petitioner was allowed to complete the Course itself and hence, the Writ Petition is to be argued at length and a final decision in the writ petition is necessary to protect the interest of the writ petitioner.

2.However, the learned Senior Counsel urged this Court that when the matter was taken up for final hearing on 28<sup>th</sup> April, 2017, one of his colleague, who was not well informed about this case, represented the matter and factual error had occurred at the time of final hearing.

3.In view of the factual discrepancies raised on 28<sup>th</sup> April, 2017 and today, on 1<sup>st</sup> August, 2017, this Court is of the view that an adjudication is necessary, in the interest of justice.

4.In this view of the matter, the Review Application is allowed and the order passed on 28<sup>th</sup> April, 2017 in W.P.No.17882 of 2013, is recalled. Registry to post the Writ Petition No.17882 of 2013, for final disposal, after two weeks. No costs.

**01.08.2017**

rpa

To

- 1 THE GOVT. OF TAMILNADU  
REP BY SECRETARY TO GOVT.  
HEALTH AND FAMILY WELFARE DEPARTMENT  
FORT ST.GEORGE  
SECRETARIAT, CHENNAI 600 009.
- 2 THE SECRETARY  
SELECTION COMMITTEE  
DIRECTORATE OF MEDICAL EDUCATION  
KILPAUK, CHENNAI 600 010
- 3 THE REGISTRAR  
THE TAMILNADU DR.MGR MEDICAL UNIVERSITY  
NO.69 ANNA SALAI  
GUINDY, CHENNAI 600 0032
- 4 THE SECRETARY  
MEDICAL COUNCIL OF INDIA  
MCI BUILDINGS,  
POCKET-14 SECTOR-8  
DWARKA, PHASE-I, NEW DELHI.

**S.M.SUBRAMANIAM, J.**

**rpa**

**Rev.Aplw.No. 108 of 2017**

**01.08.2017**