

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.22979 of 2017
and

W.M.P.Nos.24133 to 24138 of 2017

1.N.Giri Pranav
2.S.Keerthana
3.Ramana Sripathi

... Petitioners

Vs.

- 1.The State of Tamil Nadu
Rep. by its Secretary to Govt.
Health and Family Welfare Department
Fort St.George, Chennai-600 009.
- 2.The Selection Committee
Represented by Secretary
Office of the Directorate of Medical Education,
No.162, Poonamallee High Road,
Kilpauk, Chennai-600 010.
- 3.The Director General of Health Services,
Ministry of Health and Family Welfare Department
Government of India
No.446, Nirmal Bhavan,
Moulana Azad Road, New Delhi - 110 108.
- 4.The Medical Council of India
Rep. by its Secretary
Pocket 14, Sector - 8
Dwaraka Phase-I,
New Delhi - 110 077.
- 5.Sri Ramachandra Medical College & Research Institute
Represented by its Registrar
Porur, Chennai-600 116.
- 6.Jawaharlal Nehru Medical College
Represented by its Registrar
KLE University, Nehru Nagar, Belagavi,
Karnataka - 590 010.

... Respondents

Prayer :

Writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent the tentative counselling schedule for MBBS/BDS 2017-2018 and quash the conditions

"Candidate should produce all original certificates as directed in Clause 19 of the Prospectus";

"After the second round of counselling for All India Quota Seats, the students who take admission in All India Quota seats will not be allowed / permittted to vacate the seats as per the orders of the Hon'ble Supreme Court of India in WP.No.267/2017";

"Bonafide Certificates from candidates those who were joined in any course other than MBBS course are allowed"

in the said Tentative Counselling Schedule for MBBS/BDS 2017-2018 insofar as the petitioners are concerned and consequently direct the 1st and 2nd respondents to consider the applications of the petitioners filed by them in the format prescribed in the Prospectus having AR.No.13245, AR No.1296 and AR No.9380 on merits and allot the petitioners seats in Government Medical Colleges in the State of Tamil Nadu on merits.

For Petitioners : Mrs.Nalini Chidambaram,
Senior Counsel appearing for M/s.C.Uma

For Respondents : Mr.A.Kumar,
Special Government Pleader for R1 & R2
Mrs.G.Hema,
Central Government Standing Counsel
for R3
Mr.V.P.Raman
standing counsel for R4
Mr.Abishek Jenasen
standing counsel for R5

O R D E R

The prayer sought for in this writ petition is to the effect that the petitioners who got allotment of seats in the All India Quota for Deemed Universities are to be permitted to take part in the counselling once again to compete for the seats reserved under the State Quota.

2. Heard Mrs.Nalini Chidambaram, learned Senior Counsel appearing for the petitioner and perused the materials placed before this Court.

3. Though the learned Senior counsel appearing for the petitioner sought to contend that the restriction imposed on these petitioners cannot be sustained in view of the present scenario, I do not think that this Court can entertain such contention and permit these petitioners to take part in the counselling in respect of the seats reserved for State Quota, in view of the order passed by the Hon'ble Supreme Court in the case of DAR-US-SLAM Educational Trust and Others -vs- Medical Council of India and Others in WP(S)(Civil) Nos.267 of 2017 dated 09.05.2017, wherein, it has been observed as follows:

"After the second round of counselling for All India Quota seats, the students who take admission in All India Quota seats should not be allowed / permitted to vacate the seats. This would ensure that very few seats are reverted to the State Quota and also All India Quota seats are filled by students from the all India merit list only. The students who take admission and secure admission in Deemed Universities pursuant to the second round of counselling conducted by the DGHS shall not be eligible to participate in any other counselling."

4. Thus, I find no merits in this writ petition, in view of the above order passed by the Hon'ble Supreme Court. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Secretary
Selection Committee
Office of the Directorate of Medical Education,
No.162, Poonamallee High Road,
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Ministry of Health and Family Welfare Department
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4.The Secretary
Medical Council of India
Pocket 14, Sector - 8
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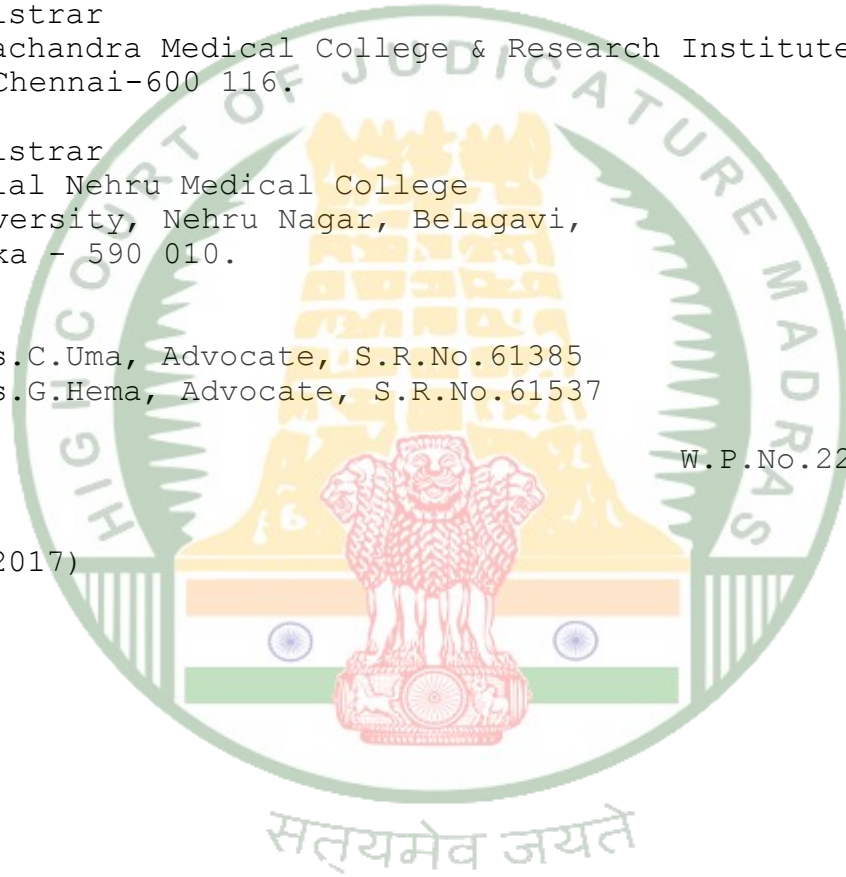
5.The Registrar
Sri Ramachandra Medical College & Research Institute
Porur, Chennai-600 116.

6.The Registrar
Jawaharlal Nehru Medical College
KLE University, Nehru Nagar, Belagavi,
Karnataka - 590 010.

+1cc to Ms.C.Uma, Advocate, S.R.No.61385
+1cc to Ms.G.Hema, Advocate, S.R.No.61537

W.P.No.22979 of 2017

AR CCC
CA(28/08/2017)



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