

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2017

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THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.23847 of 2017

and

M.P.No.25081 of 2017

Sahithi Varshini B. ... Petitioner

vs.

1. The Director General of Health Service,
Ministry of Health and Family Welfare,
Government of India,
No.446, Nirman Bhavan,
Moulana Azad Road,
New delhi 110 108.
2. The State of Tamil Nadu,
rep. by tis Secretary to Government,
Health and Family Welfare Department,
Fort St.George,
Chennai - 600 009.
3. The Secretary,
Selection Committee,
Office of the Director of Medical Education,
No.162, Poonamallee High Road,
Kilpauk,
Chennai - 600 010.
4. Thai Moogambigai Dental College and Hospital
(Under Dr.M.G.R.Educational and Research Institute)
represented by its Registrar,
Golden George Nagar,
Mugappair,
Chennai - 600 107.
5. Government Medical College,
represented by its Registrar,
Mullur Village,
Pudukottai - 622 004.

6. The Medical Council of India,
rep. by its Secretary,
Pocket 14, Sector-8,
Dwaraka Phase-I,
New Delhi - 110 077

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to direct the 4th respondent Thai Moogambigai Dental College and Hospital to unlock her BDS seat and permit the petitioner to resign the BDS seat and return the original certificates after forfeiting the 1st year fee so that the petitioner can submit the original certificates to the 2nd respondent and secure her MBBS seat in Government Medical College, Pudukottai.

For Petitioner : Mrs.Nalini Chidambaram,
Senior counsel
for Mrs.C.Uma

For Respondent : Mr.V.Venkatesh,
SCGSC for R1
Mr.A.Kumar,
Special Government Pleader
for R2 and R3
Mr.V.P.Raman,
Standing counsel for R6.

O R D E R

Heard, Mrs.Nalini Chidambaram, learned Senior Counsel appearing for the petitioner, Mr.V.Venkatesh, learned Senior Central Government Standing Counsel appearing for the 1st respondent, Mr.A.Kumar, learned Special Government Pleader appearing for the 2nd and 3rd respondents and Mr.V.P.Raman, learned Standing Counsel for the 6th respondent.

2. The petitioner seeks for a direction to the 1st respondent to direct the 4th respondent College to unlock her BDS seat and permit her to resign the BDS seat so as to secure her MBBS seat in Government Medical College, Pudukottai.

3. This Court has already considered similar issue in respect of other candidate and found that such relief cannot be granted in view of the order passed by the Honourable Supreme Court in Dar-Us-Slam Educational Trust case dated 09.05.2017 wherein at paragraph No.4, it has been observed as follows:

4. 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 the 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 BGHS shall not be eligible to participate in any other counselling.

4. Thus, I find that the petitioner is not entitled to the relief in view of the above said order passed by the Honourable Supreme Court. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

vsi

To

1. The Director General of Health Service,
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Government of India,
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New delhi 110 108.
2. The Secretary to Government,
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3. The Secretary,
Selection Committee,
Office of the Director of Medical Education,
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4. The Registrar,
Thai Moogambigai Dental College and Hospital
(Under Dr.M.G.R.Educational and Research Institute)
Golden George Nagar,
Mugappair,
Chennai - 600 107.

5. The Registrar,
Government Medical College,
Mullur Village,
Pudukottai - 622 004.

6. The Secretary,
Medical Council of India,
Pocket 14, Sector-8,
Dwaraka Phase-I,
New Delhi - 110 077

+lcc to Mrs.C.Uma, Advocate in sr.no.66071

W.P.No.23847 of 2017

NR 26/09/2017



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