

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HON'BLE MR. JUSTICE M.SUNDAR

W.P.No.14398 of 2017
and WMP.No.15612 to 15614 of 2017

1. G.Murugavel
2. Mahesh Babu
3. P.Mahesh
4. T.Neelambujan
5. P.Suresh Babu
6. V.Varadharajan
7. P.Bausul Ameer
8. D.G.Uma Shankar
9. R.Rajesh

Petitioners

vs.

1. Union of India,
Rep. by its Secretary,
Ministry of Health and Family Welfare,
Room No.307D, Nivman Bhavan,
New Delhi-110 011.
2. Medical Council of India,
Sector 8, Pocket -14,
Phase-I, Dwaraka,
New Delhi-110 077.
3. Central Board of Secondary Education,
Shiksha Kendra, No.2, Community Centre,
Preet Vihar, Delhi-110 092.
4. Ministry of Human Resource Development,
Rep. by its Secretary,
Shastri Bhavan,
New Delhi-110 001.
5. Government of Tamil Nadu,
Rep. by its Secretary,
Department of Health and Family Welfare,
Fort St.George, Chennai-600 009.

6. Directorate of Medical Education,
Government of Tamil Nadu,
Kilpauk, Chennai-600 010.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration declaring that the exemption from NEET for the students of Tamil Nadu State Board should be extended for the academic year 2017-18 as well in lieu of facts that the qualifying examination consist of both +1 and +2 curriculum to save the equality and equal protection or in the alternative not to insist NEET without a corresponding State law following minimum standards in Higher Secondary Education in part with MCI Regulations.

For Petitioner : Mr.K.M.Vijayan, Senior Counsel
for M/s.K.M.Vijayan Associates

For Respondents : Mr.G.Nagarajan for R3

O R D E R

[Order of the Court was made by M.Sathyanarayanan, J.]

The petitioners came forward with this writ petition seeking for a Writ of Declaration to declare that the exemption from National Eligibility Entrance Test [in short "NEET"] for the students of Tamil Nadu State Board should be extended for the academic year 2017-18 for the reason that the qualifying examination consist of both +1 and +2 curriculum to save the equality and equal protection or in the alternative not to insist NEET without a corresponding State law following minimum standards in Higher Secondary Education in part with MCI Regulations.

2. Mr.K.M.Vijayan, learned Senior Counsel appearing for the petitioners would submit that the Madurai Bench of this Court had granted interim orders to publish the results of M.B.B.S. in respect of the students who have undergone NEET examinations and the said order was the subject matter of challenge before the Hon'ble Supreme Court of India in SLP(C) Nos.16307 and 16311 of 2017 and vide order dated 12.06.2017, the Hon'ble Supreme Court of India observed that the High Courts are requested not to entertain the writ petitions relating to NEET and the points which are urged in this writ petition may be considered and prays for entertainment of the writ petition.

3. This Court has considered the submissions made by the learned Senior Counsel appearing for the petitioners and also perused the entire materials placed before it.

4. The Hon'ble Supreme Court of India, in the order dated 12.06.2017 made in SLP (C) Nos.16307 and 16311 of 2017, which was filed challenging the order dated 24.05.2017 passed by the Madurai Bench of this Court in W.P.[MD] Nos.9289 and 9606 of 2017 and WMP[MD] No.7064 and 7337 of 2017, has observed that the "High Courts are requested not to entertain the writ petitions relating to NEET". One of the prayers sought for the petitioners is not to insist NEET without a corresponding State law following minimum standards in Higher Secondary Education on par with MCI Regulations. In the light of the above said interim order passed by the Hon'ble Supreme Court of India, this Court is not in a position to entertain this Writ Petition and therefore, it is rejected.

5. Accordingly, this Writ Petition is rejected. If the petitioners are so advised, they are at liberty to approach the Hon'ble Supreme Court of India. No costs. Consequently, connected miscellaneous petitions are rejected.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jvm

To

1. The Secretary,
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New Delhi-110 011.

2. Medical Council of India,
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4. The Secretary,
Ministry of Human Resource Development,
Shastri Bhavan, New Delhi-110 001.
5. The Secretary,
Government of Tamil Nadu,
Department of Health and Family Welfare,
Fort St.George, Chennai-600 009.
6. Directorate of Medical Education,
Government of Tamil Nadu,
Kilpauk, Chennai-600 010.

+1cc to Mr.K.M.Vijayan, Advocate, S.R.No.43007

W.P.No.14398 of 2017

AD(CO)
CS/21/06/17



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