

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2017

CORAM

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

W.A.No.203 of 2013
and
M.P.No.1 of 2013

1. The Director of Medical Education,
Kilpauk, Chennai 600 010.
 2. The Principal Secretary to Government,
Health and Family Welfare (MCA1) Department,
Secretariat, Fort St. George,
Chennai 600 009.
 3. The Dean,
Stanley Medical College,
Chennai 600 001.
- Appellants

Versus

1. Aravind
 2. The Academic Officer,
The Tamilnadu Dr.MGR Medical University,
No.69, Anna Salai, Guindy, Chennai.
- Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 10.10.2012 passed in W.P.No.26611 of 2012 on the file of this court.

Writ petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified mandamus, calling for the entire records relating to the impugned condition NON STIPENDIARY alone in the Order No. RC No.ACI(1)/39790/2011 dated 12.9.2011 issued by the 1st respondent and quash the Non Stipendiary condition alone and further Direct the respondents to pay stipend of Rs.7600/(Rupees Seven thousand six hundred only) per month to the petitioner with effect from the date on which the petitioner is undergoing CRRI training in Stanley Medical College Chennai i.e. From 7.11.2011 till the completion of CRRI Training on par with other interns of Stanely Medical College Chennai.

For appellants : Mr.P.S.Sivashanmugasundaram
Special Government Pleader
For R1 : Mr.S.Vasudevan
For R2 : Mrs.Narmadha Sampath

JUDGMENT

(Judgment of the court was made by RMT.TEEKAA RAMAN, J.)

As against the order passed by the learned Single Judge granting stipend to the writ petitioner at the rate of Rs.7600/- per month with effect from 7.11.2011 till completion of CRRI training in Stanley Medical College, Chennai, the present writ appeal has been filed.

2. The issue relates to grant of stipend to Foreign Medical Graduates, who are undergoing CRRI training in the Government Colleges in India. It is brought to the notice of this court in a similar matter viz., W.P.No.5458 of 2012, the learned Single Judge, by order dated 16.7.2012, granted the relief, which was the basis for the order passed by the learned Single Judge in the present writ petition, however, a Division Bench of this court in W.A.No.2500 of 2012 by judgment dated 24.6.2015, set aside the order passed by the learned Single Judge in the writ petition cited, finding that the very training called as CRRI Training is important for candidates under two categories, namely stipendiary category and non-stipendiary category and once a person is admitted to training under the non-stipendiary category, he cannot, later, turn around and claim payment of stipend.

3. In view of the above subsequent development in the subject matter, the writ appeal is allowed and the order passed by the learned Single Judge in the present writ petition is set aside. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

ssk.

To:

1. The Director of Medical Education,
Kilpauk, Chennai 600 010.

2. The Principal Secretary to Government,
Health and Family Welfare (MCA1) Department,
Secretariat, Fort St. George,
Chennai 600 009.

3. The Dean,
Stanley Medical College, Chennai 600 001.

4. The Academic Officer,
The Tamilnadu Dr.MGR Medical University,
No.69, Anna Salai, Guindy, Chennai.

+1cc to Mr.S.Vasudevan, Advocate SR.No.81636

+1cc to Government Pleader SR.No.81733

W.A.No.203 of 2013

PPA(CO)
GN(02/01/2018)



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