

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2017

CORAM

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

W.A.No.1225 of 2016

and

C.M.P.Nos.15801 and 15802 2016

1. The Secretary,
Selection Committee,
Directorate of Medical Education,
162 Periyar EVR High Road,
Kilpauk, Chennai 600 010.
2. The Director,
Directorate of Medical Education,
162 Periyar EVR High Road,
Kilpauk, Chennai 600 010.
3. The Secretary,
Health and Family Welfare Department,
St. Fort George, Chennai 600 009.
4. The Director of School Education,
DPI Complex, College Road,
Chennai 600 006.

Appellants

Versus

T.Rajendiran

Respondent

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 20.9.2016 passed in W.P.No.22144 of 2016 filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to permit the petitioner Daughter to attend the medical counselling and get admission in the medical course

For appellants : Mr.K.Venkataramani
Additional Advocate General assisted by
Mr.R.Prathapkumar, AGP

For respondent : Mr.G.Thiyagarajan

JUDGMENT

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(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties for some time.

2. It appears that as against the interim order passed by the learned Single Judge, permitting the daughter of the first respondent/writ petitioner to participate in the counselling for MBBS

by relying upon the birth certificate of his daughter produced by the writ petitioner to substantiate that she had completed the qualifying age of 16 in the event of correction of her date of birth as 19.12.1999 instead of 19.1.2000, the present writ appeal has been filed.

3. On perusal of the order passed by the learned Single Judge, it appears that after observing the fact that the document viz., birth certificate relied upon by the writ petitioner is a public document issued by the authority concerned, granted the interim relief of permission to participate in the counselling for MBBS, considering the contingent situation, making it clear that she cannot claim any equity based on the interim direction. Such being the case, we are of the view that merely for pendency of consideration of the genuineness of the certificate produced by the writ petitioner, a meritorious candidate viz., her daughter should not lose her entitlement of joining the course. It further appears that subsequently, the writ petition also came to be disposed of.

Therefore, the writ appeal is dismissed, upholding the order of the learned Single Judge. No costs. The connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

// True Copy//

Sub Assistant Registrar

ssk.

To:

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+2cc to Mr.G.Thyagarajan, Advocate SR.No.73755

+1cc to Government Pleader SR.No.73755

W.A.No.1225 of 2016

SVI(CO)
GN(24/11/2017)