



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.20795, 18622 and 18956 of 2017 and
W.M.P. (MD) Nos.17080, 15007 & 15008 of 2017

W.P(MD) No.20795 of 2017

THE CHAIRMAN,
SARADA KRISHNA HOMEOPATHIC MEDICAL COLLEGE,
KULASEKHARAM, KANYAKUMARI DT.,
RUN BY K.V.EDUCATION TRUST,
CHERUPPALOOR, KULASEKHARAM,
KANYAKUMARI DT.

... Petitioner

-vs-

1. THE UNION OF INDIA,
REP.BY SECRETARY,
MINISTRY OF HEALTH & FAMILY WELFARE,
DEP. OF AYURVEDA, YOGA & NATUROPATHY, UNANI,
SIDDHA & HOMOEOPATHY (AYUSH).
IRCS ANNEXE BUILDING, 1-RED CROSS ROAD,
NEW DELHI.
2. THE CENTRAL COUNCIL OF HOMOEOPATHY (CCH),
REP. BY ITS SECRETARY,
JAWAHARLAL NEHRU BHARTIYA CHIKITSA,
AVUM HOMOEOPATHY ANUSANDHAN BHAVAN,
NO.61-65, INSTITUTIONAL AREA,
OPP. 'D' BLOCK, JANAKPURI,
NEW DELHI-110 058.
3. THE STATE OF TAMIL NADU,
REP. BY ITS SECRETARY,
DEPARTMENT OF HEALTH & FAMILY WELFARE,
FORT ST GEORGE, CHENNAI - 600 009.
4. THE ADDITIONAL CHIEF SECRETARY / COMMISSIONER
OF INDIAN MEDICINE AND HOMOEOPATHY,
ARUMBAKKAM, CHENNAI - 600 106.
5. THE SECRETARY,
THE SELECTION COMMITTEE,
INDIAN MEDICINE AND HOMOEOPATHY,
DIRECTORATE OF INDIAN MEDICINE AND HOMOEOPATHY,
GOVT. OF TAMIL NADU, ARUMBAKKAM,
CHENNAI-600 106.



6. TAMIL NADU DR.M.G.R.MEDICAL UNIVERISTY,
REP. BY ITS REGISTRAR,
P.B.NO.1200, NO.69, ANNA SALAI,
GUINDY, CHENNAI - 600 032. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent State Government and the 4th respondent Commissioner herein to approve and register forthwith the nine students admitted against the lapsed seats in the 1st year Doctor of Medicine in Homeopathy Course (M.D.(Hom.) in the petitioner-college during the academic year 2016-2017 (name list annexed).

For Petitioner	: Mr.K.Prabhu
For R1	: Mrs.L.Victoria Gowri
For R3 to R5	: Mr.J.Gunaseelan Muthiah Govt. Advocate
For R6	: Mr.C.Karthik

W.P.(MD) No.18622 of 2017

THE CHAIRMAN,
SARADA KRISHNA HOMEOPATHIC MEDICAL COLLEGE,
KULASEKHARAM, KANYAKUMARI DT.,
RUN BY K.V.EDUCATION TRUST,
CHERUPPALOOR, KULASEKHARAM,
KANYAKUMARI DT.

... Petitioner

-vs-

1. THE STATE OF TAMIL NADU,
REP. BY ITS SECRETARY,
DEPARTMENT OF HEALTH & FAMILY WELFARE,
FORT ST GEORGE, CHENNAI - 600 009.
2. THE ADDITIONAL CHIEF SECRETARY / COMMISSIONER
OF INDIAN MEDICINE AND HOMOEOPATHY,
ARUMBAKKAM, CHENNAI - 600 106.
3. THE DIRECTOR OF MEDICAL EDUCATION,
DIRECTORATE OF MEDICAL EDUCATION,
162, POONAMALLE HIGH ROAD,
KILPAUK, CHENNAI - 600 010.
4. THE SECRETARY,
THE SELECTION COMMITTEE,
INDIAN MEDICINE AND HOMOEOPATHY,
DIRECTORATE OF INDIAN MEDICINE AND HOMOEOPATHY,
GOVT. OF TAMIL NADU, ARUMBAKKAM,
CHENNAI-600 106.



5. TAMIL NADU DR.M.G.R.MEDICAL UNIVERISTY,
REP. BY ITS REGISTRAR,
P.B.NO.1200, NO.69, ANNA SALAI,
GUINDY, CHENNAI - 600 032.

... Respondents

WEB COPY

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent State Government and the 2nd respondent Commissioner herein to approve and register forthwith the six students admitted against the lapsed seats in the 1st year Bachelor of Homeopathy Medicine and Surgery Course (BHMS) in the petitioner college during the academic year 2016-2017 (name list annexed).

For Petitioner	: Mr.K.Prabhu
For R1 to R4	: Mr.J.Gunaseelan Muthiah Govt. Advocate
For R5	: Mr.C.Karthik

W.P.(MD) No.18956 of 2017

THE PRINCIPAL,
SREE RAMAKRISHNA MEDICAL COLLEGE OF
NATUROPATHY AND YOGIC SCIENCES,
PADANILAM, KULASEKHARAM,
KANYAKUMARI DIST.

... Petitioner

-vs-

1. THE STATE OF TAMIL NADU,
REP. BY ITS SECRETARY,
DEPARTMENT OF HEALTH & FAMILY WELFARE,
FORT ST GEORGE, CHENNAI - 600 009.
2. THE ADDITIONAL CHIEF SECRETARY / COMMISSIONER
OF INDIAN MEDICINE AND HOMOEOPATHY,
ARUMBAKKAM, CHENNAI - 600 106.
3. THE SECRETARY,
THE SELECTION COMMITTEE,
INDIAN MEDICINE AND HOMOEOPATHY,
COMMISSIONERATE OF INDIAN MEDICINE AND HOMOEOPATHY,
CHENNAI-600 106.
4. THE TAMIL NADU DR.M.G.R.MEDICAL UNIVERISTY,
REP. BY ITS REGISTRAR,
P.B.NO.1200, NO.69, ANNA SALAI,
GUINDY, CHENNAI - 600 032.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent State Government and the 2nd respondent Commissioner



herein to approve and register forthwith the ten students admitted against the lapsed seats in the 1st year Bachelor of Naturopathy and Yogic Science (BNYS) in the petitioner-college during the academic year 2016-2017 (name list annexed).

For Petitioner : Mr.K.Prabhu
For R1 to R3 : Mr.J.Gunaseelan Muthiah
Govt. Advocate
For R4 : Mr.C.Karthik

C O M M O N O R D E R

These petitions have been filed, seeking a direction for approval and registration of students admitted against the lapsed seats.

2. When these matters are taken up for hearing, the learned counsel for the petitioner-colleges has submitted that nothing survives for further adjudication in all these petitions, as the relief sought for by the petitioner-colleges has become infructuous, pursuant to ratification of admissions of students against the lapsed seats.

3. In view of the above submission, this Court is of the view that nothing survives for further adjudication in these matters. Hence, these petitions are closed as having become infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

1. THE SECRETARY,
STATE OF TAMIL NADU,
DEPARTMENT OF HEALTH & FAMILY WELFARE,
FORT ST GEORGE, CHENNAI - 600 009.
2. THE DIRECTOR OF MEDICAL EDUCATION,
DIRECTORATE OF MEDICAL EDUCATION,
162, POONAMALLE HIGH ROAD,
KILPAUK, CHENNAI - 600 010.
3. THE ADDITIONAL CHIEF SECRETARY / COMMISSIONER
OF INDIAN MEDICINE AND HOMOEOPATHY,
ARUMBAKKAM, CHENNAI - 600 106.



4. THE SECRETARY,
THE SELECTION COMMITTEE,
INDIAN MEDICINE AND HOMOEOPATHY,
DIRECTORATE OF INDIAN MEDICINE AND HOMOEOPATHY,
GOVT. OF TAMIL NADU, ARUMBAKKAM,
CHENNAI-600 106.

+3ccs to Mr.C.Karthik , Advocate, SR.Nos.90174, 90173 and 90172

+3ccs to M/s.Isaac Chamber, Advocate, Nos.90269, 90270, 90268

+One cc to Mr.L.Victoria Gowri, Advocate, RS.No.90787

+3ccs to The Special Government Pleader, SR.Nos.90556, 90569, 90555

ar
RL/13C/5P/SKN/RSK/SAR4/26/12/2017

W.P(MD) Nos.20795, 18622 and 18956 of 2017

29.11.2017