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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.07.2017
CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P. (MD) No. 2125 of 2017

and

W.M.P. (MD) Nos. 1763 & 1764 of 2017

S. Jeyakumar

... Petitioner

Vs.

1. The Principal Secretary,
Ministry of Youth Welfare and Sports
Development Department,
Government of Tamil Nadu,
Secretariat,
Fort. St. George,
Chennai-600 009.

2. The Dean,
Thanjavur Medical College Hospital,
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus calling for the records relating to the impugned age certificate dated 27.06.2016 issued by the medical board of the second respondent in respect of the petitioner's daughter baby Thanuja and quash the same and consequently direct the respondents to constitute the second medical board for issuance of fresh age certificate in accordance with the provisions set out in National Code against Age Fraud in Sports in favour of the Petitioner's daughter baby Thanuja and quash the same.

For Petitioner : Mr. A. Rahul

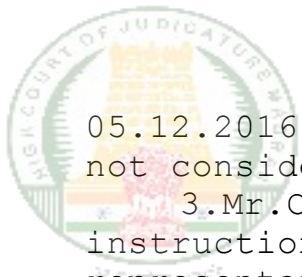
For Respondents : Mr. C. Selvaraj

Special Government Pleader

ORDER

This Writ Petition is filed challenging the order of the second respondent dated 27.06.2016 and for a direction to constitute the second medical board.

2. According to the petitioner his daughter Thanuja is presently studying in fifth standard in Alpha Wisdom Vidhyashram School, Trichy and she is a swimmer and she has won prizes and she is below ten years. But, in the Medical Board convened in the year 2016, there was a difference of opinion and even they have issued a certificate, stating that her age is between 12 to 14 years. Hence, he sent a representation to the respondent on



05.12.2016 to constitute the second Medical Board. Since, it was not considered the present Writ Petition.

3.Mr.C.Selvaraj, learned Special Government Pleader on instructions would submit that after receipt of the representation from the petitioner, the second medical board was constituted and the petitioner's daughter was directed to appear before the medical board on 13.12.2016 and 09.03.2017, but, on both days she did not appear before the Medical Board.

4.Mr.A.Ragul, learned counsel for the petitioner would submit that the petitioner did not receive any communication from the respondent about constitution of second medical board on 27.06.2016, and if they give fresh date the petitioner's daughter is ready to appear before the medical board and he is also ready to pay the entire cost.

5.In reply, the learned Special Government Pleader fairly submitted that there was no acknowledgement for sending communication to the petitioner in the month of December 2016.

6.In the light of the above facts and to secure ends of justice, the impugned order is set aside and the respondents are directed to constitute the second medical board within four weeks and the petitioner shall deposit cost for constitution of the second medical board.

7.Accordingly, the writ petition is allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary,
Ministry of Youth Welfare and Sports
Development Department,
Government of Tamil Nadu,
Secretariat,
Fort.St.George,
Chennai-600 009.

2.The Dean,
Thanjavur Medical College Hospital,
Thanjavur.

+1cc to Mr.A.Rahul, Advocate, SR.67808

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