



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 28.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)Nos.4383 and 4384 of 2017

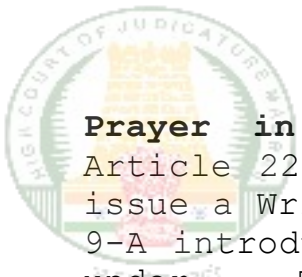
and

W.M.P(MD)Nos.3517 to 3520 of 2017

The Chairman,
Padanilam Welfare Trust,
Velayudhan Pillai Memorial Hospital Complex,
Kulasekharam, Kanyakumari District. ..Petitioner in both W.Ps'

Vs

1. The Union of India,
represented by its Secretary,
Department of Health,
Central Secretariat,
New Delhi.
2. The Medical Council of India,
Pocket 14, Sector 8,
Dwaraka, New Delhi - 110 077,
represented by its Secretary.
3. The State of Tamil Nadu,
represented by its Secretary,
Department of Health and Family Welfare,
Fort St.George, Chennai - 600009.
4. The Director of Medical Education,
Directorate of Medical Education,
162, Poonamallee High Road,
Kilpauk, Chennai - 600 010.
5. The Secretary,
The Selection Committee,
Directorate of Medical Education,
162, Poonamallee High Road,
Kilapuk, Chennai - 600 010.
6. The Tamil Nadu Medical University,
P.B.No.1200, No.69, Anna Salai,
Chennai - 600 032,
represented by its Registrar. ..Respondents in both W.Ps'



Prayer in W.P(MD)No.4383 of 2017: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of declaration declaring that the impugned Regulation 9-A introduced by the second respondent/Medical Council of India under THE 'Post Graduate Medical Education (Amendment) Regulations, 2017 prescribing thereby common counselling for admission to all Post-graduate Medical Courses by the State Government as ultra vires, illegal and unconstitutional and null and void insofar as the Petitioner's Medical College is concerned which is a Minority Educational Institution.

Prayer in W.P(MD)No.4384 of 2017: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of declaration declaring the impugned Regulation 5-A introduced by the Second respondent/Medical Council of India under the Regulation on Graduate Medical Education(First Amendment), 2017 prescribing thereby common counselling for admission to all Under Graduate Medical Courses by the State Government as ultra vires, illegal and unconstitutional and null and void insofar as the Petitioner's Medical College is concerned which is a Minority Educational Institution.

W.P(MD)Nos.4383 and 4384 of 2017

For Petitioner	: Mr.Issac Mohanlal Senior Counsel for M/s.T.Cibi Chakkraborthy
For Respondent-1	: Mr.Paul Pandi
For Respondent-2	: Mr.V.P.Raman Senior Counsel
For Respondents 3 to 5	: Mr.K.Mahesh Raja, Government Advocate
For Respondent-6	: Mr.C.Karthick

COMMON ORDER

Mr.Issac Mohanlal, learned Senior counsel appearing for the Petitioner would submit that the Honourable Supreme Court of India by its proceedings, dated 24.3.2017, posted the Writ Petition(s) (Civil) No.102 of 2017 for hearing on 20.4.2017 and the learned Senior Counsel appearing for the second respondent/Medical Council of India, New Delhi would submit that the issues that are raised in the Writ Petition is also connected with the Writ Petition pending before this Court. Therefore, the Senior Counsel appearing for the Petitioner would submit that they are now proposing to approach the Honourable Supreme Court, New Delhi, in respect of the relief prayed for in the present Writ Petition.

2.In view of the submissions of the learned Senior Counsel appearing for the Petitioner, no orders are necessary to be passed in these Writ Petitions. Therefore the learned Senior Counsel for



the Petitioner would submit that he would advise the counsel on record to withdraw these Writ Petitions, giving liberty to the Petitioner to approach this Court, if there is any necessity in future.

3. In view of the same, these Writ Petitions are dismissed as withdrawn. However, the Petitioner is given liberty to approach this Court, in case, any necessity arises in future. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Union of India,
Department of Health,
Central Secretariat, New Delhi.
2. The Secretary,
The Medical Council of India,
Pocket 14, Sector 8,
Dwaraka, New Delhi - 110 077.
3. The Secretary,
Government of Tamil Nadu,
Department of Health and Family Welfare,
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5. The Secretary,
The Selection Committee,
Directorate of Medical Education,
162, Poonamallee High Road,
Kilapuk, Chennai - 600 010.
6. The Registrar,
The Tamil Nadu Medical University,
P.B.No.1200, No.69, Anna Salai,
Guindy, Chennai - 600 032.

+2 cc to Mr.C.Karthik, Advocate, SR.No. 18344 & 18345
+2 cc to Mr.T.Cibi Chakraborty, Advocate, SR.No. 18518 & 18519
+1 cc to Mr.P.Paul Pandi, Advocate, SR.No. 18428
+2 cc to Mr.V.P.Raman, Advocate, SR.No. 18638 & 18639

W.P (MD) Nos.4383 and 4384 of 2017 and

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