IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2018

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No. 20731 of 2018
And
W.M.P.No.24354 of 2018

Master K.Hemachander
Minor rep., by his father and natural
guardian K.Krishna ...Petitioner

Vs.

1. Medical Concil of India
Pocket -14, Sector -8,
Dwaraka Phase-I,
New Delhi - 110 077.

2. The Secretary
Health and Family Welfare Department
Government of Tamilnadu
Secretariat,
Fort St. George
Chennai - 600 009.

3. The Director of Medical Education
Directorate of Medical Education
No.162, Periyar E.V.R., High Road,
Kilpauk, Chennai - 600 010.

4. The Secretary
The Selection Committee
Admission to MBBS/BDS Courses 2018-19 Session
Directorate of Medical Education
No.162, Periyar E.V.R. High Road
Kilpauk, Chennai - 600 010. ..Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the fourth respondent to consider the representation made by the petitioner dated 28.07.2018 and allow Master K.Hemachander to participate in the medical counselling for management quota in the next phase of counselling.

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For Petitioner : Mr. N.Kumar Rajan

For 1st Respondent : Mr. V.P.Raman

For RR 2 to 4 : Mr.K.Karthikeyan
Government Advocate

O R D E R

Seeking a direction to direct the fourth respondent to consider the representation made by the petitioner dated 28.07.2018 and allow Master K.Hemachander to participate in the medical counselling for management quota in the next phase of counselling, the present Writ Petition came to be filed.

2. By consent, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3. Heard Mr.N.Kumar Rajan, learned counsel appearing for the petitioner and Mr. V.P.Raman, learned Senior Counsel, who has taken notice on behalf of the first respondent and Mr.K.Karthikeyan, learned Government Advocate, who has taken notice on behalf of the respondents 2 to 4.

4. It is the case of the petitioner that he has submitted an application form of MBBS/BDS Course during the year 2018-19 before the fourth respondent on 15.06.2018. By mistake and due to inadvertence, in his application he has mentioned his mother tongue as Tamil instead of Telugu. Hence, he has made a representation dated 28.07.2018. In his representation, the petitioner stated that he has all the certificates to prove his mother tongue as Telugu and therefore, he prayed for considering his application on that basis.

5. Considering the limited scope of the prayer made in this Writ Petition, taking into consideration the facts and circumstances of the case, this Court, without going into the merits of the case, directs the fourth respondent to consider the petitioner's representation dated 28.07.2018 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity to the petitioner.

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6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsg/pds

To

1. The Secretary
Health and Family Welfare Department
Government of Tamilnadu
Secretariat,
Fort St. George
Chennai - 600 009.

2. The Director of Medical Education
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Kilpauk, Chennai - 600 010.

+1cc to Mr. N.Kumar Rajan, Advocate sr.no.55548
+1cc to Mr.V.P.Raman, Advocate sr.no.55576
+1cc to Government Pleader sr.no.56082

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