

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2018

CORAM:

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

Writ Petition No.5735 of 2018
& WMP No.7076 of 2018

Sri Muthukumaran Medical College Hospital &
Research Institute, Rep by V.S.Dorairaj,
Dean, Chakkarayapuram, Near Mangadu,
Chennai 600 069 ... Petitioner

Vs

The Registrar, The Tamil Nadu
Dr. MGR Medical University,
69 Anna Salai, Guindy, Chennai 600 032 ... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to perform their statutory duties by issuing letter of consent of affiliation for starting a PG Course to the petitioner College namely Sri Muthukumaran Medical College Hospital and Research Institute for the academic year 2019-20 within such time that may be prescribed by this Court.

For Petitioner : Mr. G.Masilamani, Sr. Counsel, for,
Mr. Vishnu

For Respondent : Mrs. P.Rajalakshmi

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O R D E R

Mrs. P.Rajalakshmi, learned standing counsel, takes notice for the respondent. With consent of the learned counsel appearing for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed this writ petition praying for the issuance of a Writ of Mandamus directing the respondent to

perform its statutory duties, by issuing the letter of consent of affiliation for starting a P.G.Course to the petitioner College, namely, Sri Muthukumaran Medical College Hospital and Research Institute, for the academic year 2019-20, within such time that may be prescribed by this Court.

3. The case of the petitioner is that the petitioner-College was established in the year 2010-2011 and it is covered by 25 acres of land and its infrastructure facilities are provided, as per the norms prescribed by the Medical Council. The college is affiliated to the respondent-University, with the permission to intake 150 students annually. The petitioner-college is also recognized by the Government of India, to award MBBS degree, maximum to the period of five years and renewable thereafter. The petitioner college is eligible for starting any Post Graduate Degree or Higher Specialty Course, under Paragraph 8 of the P.G.Medical Education Regulations, 2000. The last date for submission of proposal to the Government of India, for starting the P.G.Course, is 7th April of every year. The petitioner-college submitted its proposal for letter of consent on 16.10.2017, to the respondent. However, the respondent did not process the proposal till date. Hence, the petitioner has come before this Court by way of this writ petition.

4. Heard both sides.

5. The learned senior counsel appearing for the petitioner, by reiterating the abovesaid facts, submitted the petitioner has given a proposal for letter of consent, for starting the P.G.Course, on 16.10.2017 to the respondent, however, the respondent has not acted on the said proposal, so far.

6. Mrs.P.Rajalakshmi, learned Standing Counsel, who took notice on behalf of respondent, on instructions submitted that the respondent may be directed to consider the petitioner's proposal, dated 16.10.2017 and pass orders in accordance with law.

7. Having regard to the submissions made by the learned counsel appearing for both sides, without expressing any opinion with regard to the merits of the case, this Court hereby directs the respondent to consider the proposal submitted by the petitioner, dated 16.10.2017 and pass appropriate orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, after considering each and every aspects, as placed by the petitioner in the said proposal and after affording due opportunity to the petitioner.

8. With the above directions, this writ petition is

disposed of. No costs. Consequently, the connected WMP is closed.

Sd/-
Assistant Registrar(CS II)

//True copy//

Sub Assistant Registrar

srk

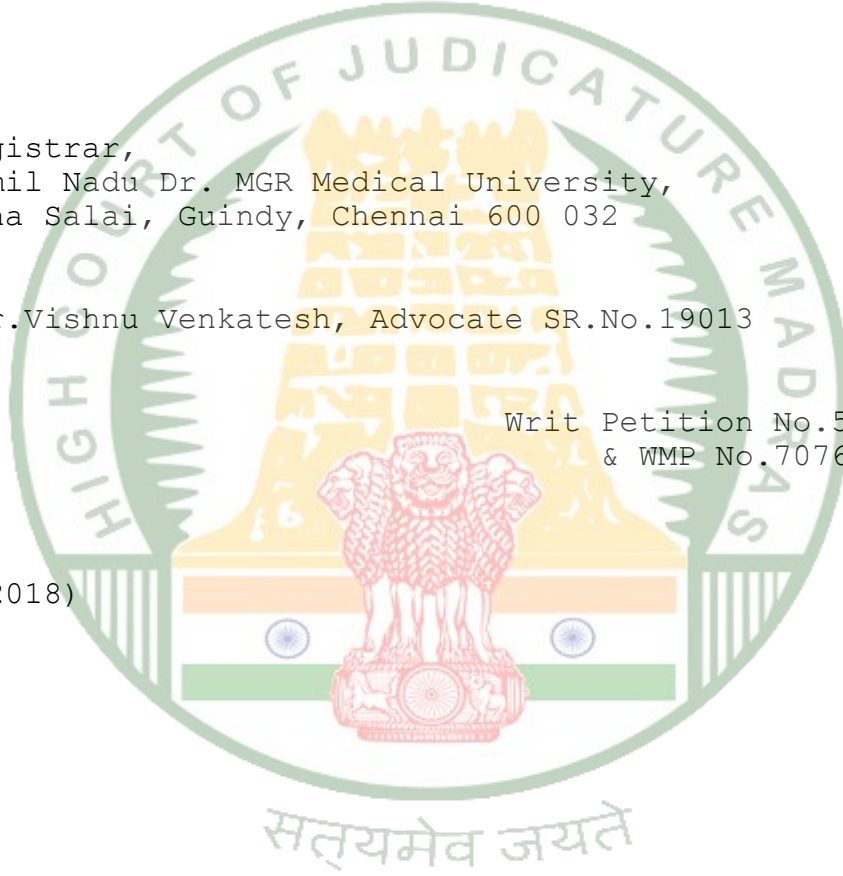
To

1. The Registrar,
The Tamil Nadu Dr. MGR Medical University,
69 Anna Salai, Guindy, Chennai 600 032

+1cc to Mr.Vishnu Venkatesh, Advocate SR.No.19013

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GN(15/03/2018)



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