

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.6831 OF 2018

R.Karthick Baalaje

... Petitioner

vs.

1. The Government of Tamil Nadu,
rep. by its Secretary,
Department of Health,
Fort St. George,
Chennai 600 009.

2. The Secretary,
Selection Committee,
Directorate of Medical Education,
EVR Road, Kilpauk,
Chennai 600 010.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the Respondents to permit the Petitioner to appear as service candidate through Coimbatore Medical College Hospital with incentive marks for the Tamil Nadu Medical PG counselling conducted by the Respondents.

For Petitioner : Mr.R.Karthick Balaaje,
Party-in-Person

For Respondents: Mrs.V.Annalakshmi,
Government Advocate

O R D E R

This matter is taken up for hearing today at the instance of the Petitioner/Party-in-Person.

2. The Petitioner has come up with the present Writ Petition seeking a direction to the Respondents to permit him to appear as Service Candidate through Coimbatore Medical College Hospital with incentive marks for the Tamil Nadu Medical PG Counselling conducted by the Respondents.

3. According to the Petitioner, he has completed MBBS in March 2012 and joined Government Service through Medical Recruitment Board (MRB) exams at Head Quarters, Government General Hospital, Udagamandalam on 17.09.2013 as Assistant Civil Surgeon. He worked there till April 2016 and joined Diploma in Anaesthesiology through service quota on

01.05.2016. The Petitioner further stated that he is going to complete his course in April 2018 and that he wrote All India PG NEET exams for 2018 and secured 445 marks. The Prospectus for Tamil Nadu PG Counselling was released on 16.03.2018, as per which, those who have completed their Diploma Courses in the present academic year, cannot apply for Tamil Nadu Medical PG counselling.

4. Even though no counter has been filed on behalf of the Respondents, learned Government Advocate appearing for the Respondents drew the attention of this Court to Clause 6 of the Notification and submitted that the Petitioner is not at all eligible to apply for P.G. counselling.

5. For better understanding, Clause 6 of the Notification is extracted hereunder:

III. NOT ELIGIBLE:

6.(a) Candidates who join a Post Graduate Degree/Diploma course in any branch and discontinue the course on any grounds after the cut off date fixed by the Medical Council of India are not eligible to apply for two subsequent academic years.

(b) Candidates who take an allotment for PG Degree/Diploma courses in any branch in the final phase counselling and does not join the course are not eligible to apply for two subsequent academic years.

5. In reply, the Petitioner/Party-in-person submitted that he is going to complete the course on 30.04.2018 and there is no hindrance for him to join the P.G. Degree course from 01.05.2018.

6. On a reading of Clause 6 of the Notification annexed in the typed set of papers, it is clear that the candidates who are undergoing P.G. Degree/Diploma courses, are not eligible to apply for any P.G. Degree/Diploma course for two subsequent academic years. In the case on hand, as the Petitioner is pursuing P.G. Degree Course, he is not eligible to apply for Tamil Nadu Medical PG counselling.

Hence, this Writ Petition stands dismissed. No costs. Consequently, connected W.M.P.No.8455 of 2018 is closed.

Sd/-

Assistant Registrar(CS-VI)

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Sub Assistant Registrar

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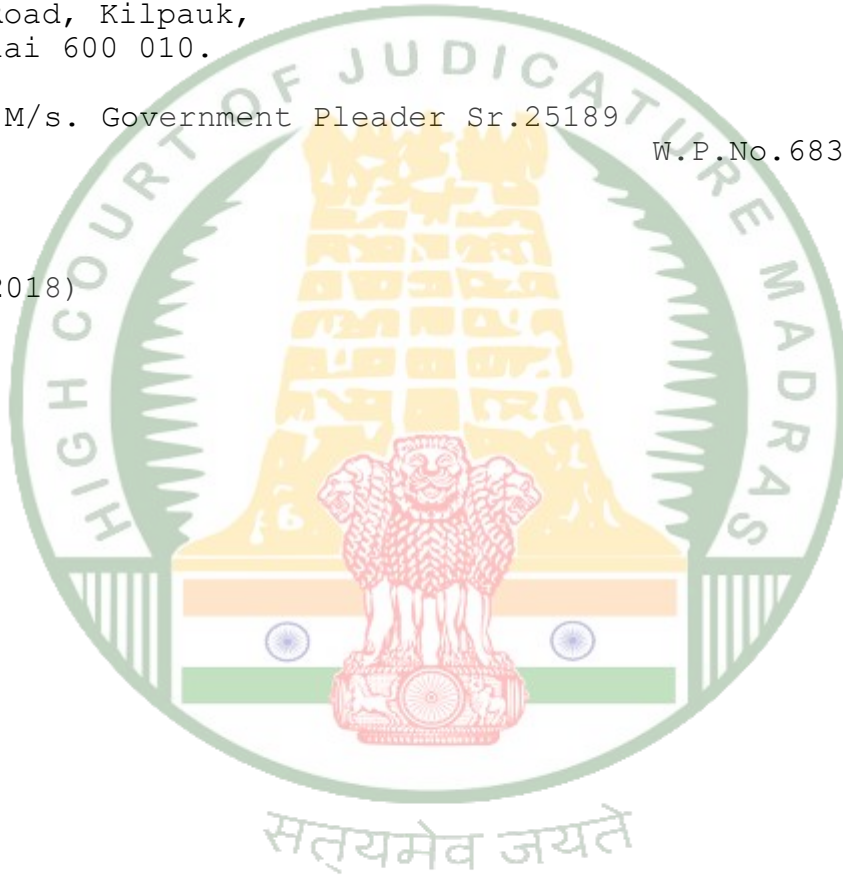
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+ 1 cc to M/s. Government Pleader Sr.25189

W.P.No.6831 of 2018

CNR(CO)
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