

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2018

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.32507 of 2017
and W.M.P.Nos.35828 and 35829 of 2017

V.B.R.Menon, Advocate .. Petitioner

vs.

- 1.The Secretary to Govt. of
India Ministry of Health & Family Welfare
Department Nirman Bhawan Maulana Azad Road
New Delhi 110 011
- 2.The Secretary to Govt. of India ,
Ministry of Human Resource
Development Shastri Bhawan Dr.Rajendra
Prasad Road New Delhi 110 001
- 3.The Secretary
University Grants Commission Bahadur Shah
Zafar Marg New Delhi 110 002
- 4.The President
Medical Council of India Pocket 14 Sector
8, Dwarka, New Delhi 110 001
- 5.The Chief Secretary to
Government Chief Secretariat Goubert
Avenue Puducherry 605 001
- 6.The Secretary to Govt. of
Puducherry Health and Family Welfare
Service Department Secretariat Beach Road
White Town Puducherry 605 001
- 7.The Director
Health and Family Welfare Service (DHFWS)
Victor Samuel Street Puducherry 605 001
- 8.The Pondicherry University
rep. by its Registrar R.V.Nagar Kalapet
Puducherry 605 014

9. The Secretary to Lt. Governor
of Puducherry Raj Nivas White Town
Puducherry 605 001
- 10 Aarupadai Veedu Medical College
Cuddalore Main Road, Puducherry.
- 11 Vinayaga Missions Medical College
Keezha Kasakudi Medu
Karaikkal.
- 12 Mahatma Gandhi Medical College and Research Institute
Pillayarkuppam, Puducherry.
- 13 Sri Lakshmi Narayana Institute
of Medical Sciences
Villianur Commune, Puducherry
- 14 Sri Manakula Vinayagar
Medical Colleges & Hospital, Puducherry
- 15 Sri Venkateswara Medical
College and Research Centre,
Ariyur, Puducherry
- 16 Pondicherry Institute of
Medical Sciences & Research, Kalapet
Puducherry.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 9 to conduct investigations within a prescribed time limit into the entire MBBS and PG Medical course admissions at the respondent colleges 10 to 16 during the Academic year 2016-17 and 2017-18 and consequently take appropriate punitive actions in accordance with law including de-recognition and stoppage of admission to all Medical courses by the respondent colleges from the academic year 2018-19 onwards.

For Petitioner

: Mr.V.B.R.Menon
Party-in-person

For Respondents

: Mr.S.Sathish Rajan for RR1&2
: Mr.P.R.Gopinathan for R-3
: Mr.V.P.Raman for R-4

: Mr.A.Gandhiraj
Govt.Pleader (Pondy)
for RR 5 to 7 and 9
: Mr.Stalin Abimanyu for R-8
: Mr.L.Swaminathan
for RR 10 and 11
: Mr.Menon Karthik Mukundan
for R-12
: Mr.V.Ramesh for R-13
: Mr.B.Balavijayan for R-14
: Mr.T.V.Lakshmanan for R-15
: Mr.A.L.Somayajee, S.C.,
for Mr.A.Jenasenan for R-16

ORDER

(Order was made by Ms.Indira Banerjee, Chief Justice)

This writ petition has been filed in public interest praying for orders to constitute an independent body with adequate statutory powers to scrutinize, monitor, supervise and regulate admissions to the MBBS and Post Graduate courses to the respondent colleges and has also sought investigations into admissions to the aforesaid courses.

2.It is difficult to appreciate how this Court can confer statutory powers on an independent body constituted by it. This Court does not legislate. It is for the appropriate legislature to enact legislation in this regard or may be the rule-making authorities under existing statutes to frame statutory rules in this regard. The petitioner may make representations to the appropriate Government and the representatives of the people in the respective legislatures in this regard.

3.Writ petition is disposed of. No costs. Consequently, W.M.P.Nos.35828 and 35829 of 2017 are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To:

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New Delhi 110 011

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Puducherry 605 001

+1cc to M/s.V.B.Menon, Party in person, sr.no.31483

+1cc to M/s.V.P.Raman, Advocate sr.no.31679

+1cc to M/s.S.Sathish Rajan, CGSC SR.31113

+1cc to M/s.P.R.Gopinathan, Advocate sr.no.31063

+1cc to M/s.Menon, Karthik, Mukundan & Neelakantan, sr.32004

+1cc to M/s.L.Swaminathan, Advocate sr.no.32205

W.P.No.32507 of 2017

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nr 18/05/2018