

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.A.No.374 of 2018 and
C.M.P.No.3128 of 2018

1. The Director of Medical Education,
Directorate of Medical Education,
162, Periyar EVR Salai,
Kilpauk, Chennai-600 010.
2. The Selection Committee
represented by its
Secretary / Additional Director of Medical Education,
Directorate of Medical Education,
162, Periyar EVR Salai,
Kilpauk, Chennai-600 010.
3. The State of Tamil Nadu,
rep.by its Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai. ... Appellants

-vs-

1. Dr.U.Ishwarya
2. The Government Kilpauk Medical College
represented by its Dean,
Poonamallee High Road,
Kilpauk, Chennai.
3. The Director of Public Health and Preventive Medicine,
Chennai-600 006.
4. The Deputy Director of Health Services,
Sivakasi, Virudhunagar District.
5. The Union of India,
rep.by Ministry of Law,
New Delhi.

6. The Union of India,
rep.by its Secretary,
Ministry of Women and Child Welfare,
New Delhi.
7. The Commission for Women Development,
rep.by its Chairman, New Delhi.
8. The State of Tamil Nadu,
rep.by its Secretary,
Law Department,
Fort St.George, Chennai.

... Respondents

Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.M.P.No.13485 of 2017 in W.P.No.12660 of 2017 dated 22.12.2017.

W.P.No. 12660/2017:

Writ Petition is filed under article 226 of the constitution of India to issue a Writ of Certiorarified Mandamus to call for the record relating to the order of the 4th respondent dated 09-03-2015 in R.No.6064/E5/A3/2015-79 so far as seeking to exclude the maternity leave period for calculating two year service period to permit the candidate to undergo post graduate course and quash the same in so far as the petitioner is concerned and consequently permit the petitioner to joint D.G.O course in the 3rd respondent college in the academic year 2017-2018 as per the allotment order issued by the 2nd respondent dated 10.05.2017 and allow her to attend the class.

For Appellants :: Mr.S.T.S.Murthy,
Addl.Advocate General
assisted by Mr.C.Munusamy,
Spl.GP (Education)

For Respondents :: Mr.P.S.Sivashanmugasundaram,
Spl.GP for R2 to R4 and R8
Mrs. Sunitha Kumari CGSC
for RR5 to 7

JUDGMENT
(Delivered by HULUVADI G.RAMESH, J.)

The learned single Judge in the order impugned herein, has directed that the admission granted by the Government to the first respondent in Diploma in Gynaecology and Obstetrics for the academic year 2017-18, would be valid for the next academic year 2018-19 and that the first respondent has to be admitted in Diploma in Gynaecology and Obstetrics for the next academic year

2018-2019 without the necessity of applying and writing the NEET Examination 2018. It was further directed the Deputy Director of Health Services, Sivakasi, Virudhunagar District to relieve the first respondent immediately, once she has been allotted a seat in Diploma in Gynaecology and Obstetrics during the counselling for the year 2018-19, which she is entitled to as per the order.

2. When this appeal was taken up, the learned Addl. Advocate General appearing for the appellants has submitted that this writ appeal has become infructuous since the Government has agreed to relieve the first respondent to join the PG Diploma Course in Gynaecology and Obstetrics as per the order passed by the learned single Judge. He further submitted that the first respondent had once again appeared for the NEET Examination in 2018 for the academic year 2018-2019.

3. In view of the above submission made by the learned Addl. Advocate General appearing for the appellants, the writ appeal stands dismissed as infructuous. No costs. Consequently the connected miscellaneous petition is also dismissed.

-s/d-

Assistant Registrar (CS-IV)

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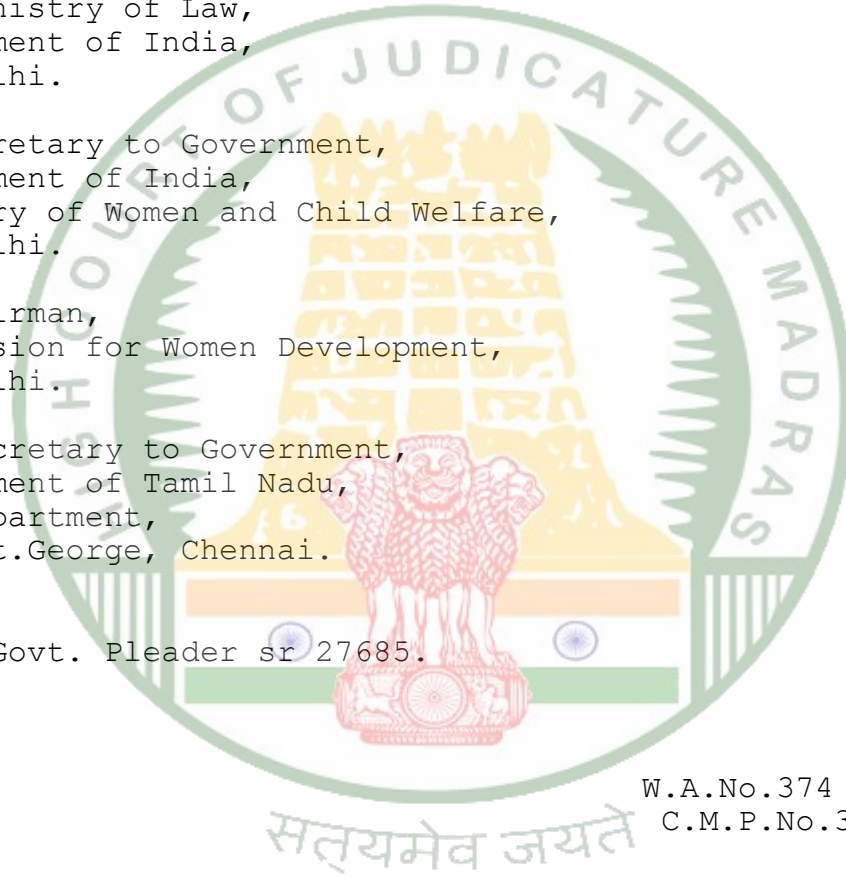
Sub-Assistant Registrar

KM

To

1. The Director of Medical Education,
Directorate of Medical Education,
162, Periyar EVR Salai,
Kilpauk, Chennai-600 010.
2. The Secretary / Additional Director of Medical Education,
Directorate of Medical Education,
162, Periyar EVR Salai,
Kilpauk, Chennai-600 010.
3. The Secretary to Government,
Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George, Chennai.

4. The Dean,
Government Kilpauk Medical College
Poonamallee High Road,
Kilpauk, Chennai.
 5. The Director of Public Health and Preventive Medicine,
Chennai-600 006.
 6. The Deputy Director of Health Services,
Sivakasi, Virudhunagar District.
 7. The Secretary
The Ministry of Law,
Government of India,
New Delhi.
 8. The Secretary to Government,
Government of India,
Ministry of Women and Child Welfare,
New Delhi.
 9. The Chairman,
Commission for Women Development,
New Delhi.
 10. The Secretary to Government,
Government of Tamil Nadu,
Law Department,
Fort St. George, Chennai.
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C.M.P.No.3128 of 2018

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SP(04/05/2018)

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