

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2018

CORAM

THE HONOURABLE MR.JUSTICE S.BASKARAN

W.P.No.13103 of 2018 and

W.M.P. No.15404 of 2018

Annem Bharath

.. Petitioner

Vs.

1.Tamil Nadu Medical Council,
New No.914,
Poonamallee High Road,
Arumbakkam, Chennai 600 106.

2.National Board of Examination,
NEET - PG, Rep. by Registrar,
Medical Enclave, Ansari Nagar,
Mahatma Gandhi Marg (Ring Road),
New Delhi - 110 029.

3.State Selection Committee,
rep. by Chairperson,
Neet - PG, Directorate of Medical Education,
162, Periyar E.V.R.High Road,
Kilpauk, Chennai-600 010.

4.The Secretary,
Medical Council of India,
Pocket-14, Sector-8, Phase-1 Dwarka,
New Delhi - 110 002.

.. Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 3rd and 4th respondents to consider the case of the petitioner on medical grounds for admission to NEET-PG 2018 in management quota.

For Petitioner : Mr.G.Surya Narayanan

For Respondents : Mr.K.Karthikeyan,
Government Advocate
for R1 and R3

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the case of the petitioner on medical grounds for admission to NEET-PG 2018 in management quota.

2.The petitioner states that he has completed M.B.B.S. course in S.R.M. University and appeared for NEET-PG Examination on 07.01.2018. As per the notification of the NEET PG Examination, the petitioner ought to have completed the intern ship before 31.03.2018 or atleast should be a person to take up his intern ship on or before 31.03.2018. Since the petitioner fell ill on 13.01.2018 and was admitted in hospital and discharged only on 26.01.2018, he was not in a position to complete the intern ship on or before 31.03.2018. According to the petitioner, he completed the intern ship only on 02.05.2018 and the delay was due to health reasons beyond the control of the petitioner and purely on medical grounds. He further states that the respondents are refusing to consider the petitioner for management quota admission solely on the ground that the intern ship was completed only on 02.05.2018 instead of 31.03.2018. Aggrieved over the same, the petitioner filed Writ Petition in W.P. No.12521 of 2018 wherein direction was given to respondents 1 and 2 to consider and pass orders on the representation given by the petitioner on or before 24.05.2018. However, no such order was passed. As such the petitioner has now come forward with the present writ petition seeking a direction to the respondents to pass orders on his representation.

3.Mr.K.Karthikeyan, learned Government Advocate takes notice for R1 and R3. According to him, the third respondent State Selection Committee has not been made as a party respondent to the earlier writ petition and hence no order was passed.

4.Learned Government Advocate appearing for R1 and R3 has no objection to consider the representation dated 17.05.2018 given by the petitioner.

5.Considering the above said reasons and also considering the fact that the counselling is going to be over on 31.05.2018, the third respondent is directed to consider the representation dated 17.05.2018 given by the petitioner and pass appropriate orders, on merits and in accordance with law forthwith.

6.With the above direction, the writ petition is disposed of. No costs. Consequently, connected W.M.P. is closed.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

vga

To

1.The Secretary,
Tamil Nadu Medical Council,
New No.914,
Poonamallee High Road,
Arumbakkam, Chennai 600 106.

2. The Registrar,
National Board of Examination,
NEET - PG, Medical Enclave, Ansari Nagar,
Mahatma Gandhi Marg (Ring Road),
New Delhi - 110 029.

3. The Chairperson, State Selection Committee,
Neet - PG, Directorate of Medical Education,
162, Periyar E.V.R.High Road,
Kilpauk, Chennai-600 010.

4.The Secretary,
Medical Council of India,
Pocket-14, Sector-8, Phase-1 Dwarka,
New Delhi - 110 002.

+1cc to Mr.G.SURYA NARAYANAN, Advocate, S.R.No.34242

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SG(CO)
TR(30/05/2018)

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