

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.30307 of 2015

and

M.P.No.1 of 2015 and W.M.P.No.1931 of 2018

Dr.V.Maithreyee

... Petitioner

Vs.

1. The Medical Council of India,
Rep. by its Chairman,
No.8, Dwaraka Phast-I,
New Delhi-110 077.
2. The Registrar,
Sri Balaji Vidyapeet Deemed University,
Cuddalore Pondy Main Road,
Pillayarkuppam,
Pondicherry-607 402.
3. The Controller of Examinations,
Sri Balaji Vidyapeet Deemed University,
Cuddalore Pondy Main Road,
Pillayarkuppam,
Pondicherry-607 402.
4. Head of Department,
Department of Opthomology,
Sri Balaji Vidyapeet Deemed University,
Cuddalore Pondy Main Road,
Pillayarkuppam,
Pondicherry-607 402.
5. Dr.Thangarani Rajasekhar,
Professor of Opthamology,
Stanley Medical College,
Chennai.
6. Dr.Pandurangan,
Professor of Opthomolgoy & H.O.D.,
Chettinad Hospitals,
Kelambakkam.

7. Dr.Srinivasan,
Professor of Opthomology,
Mahatma Gandhi Medical College,
Pondicherry.

(Respondents 5 to 7 are impleaded
as per order dated 17.04.2017 in
W.M.P.No.9831 of 2016 in W.P.No.30307 of 2015) .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the second respondent culminating in the order dated 02.09.2015 made in Ref.No.MGM/SBV/RTI/2015/1078 and quash the same and consequently direct the second and third respondents herein to produce the original answer sheets of all the undermentioned theory papers as per the scheme of PG Regulations of the first respondent herein by causing re-totalling of the theory papers:

- (i) Anterior Segment Clinical Ophthalmology including infraction
 - (ii) Posterior Segment Clinical Ophthalmology including Neuro Ophthalmology
 - (iii) Recent advances including Community Ophthalmology,
- and declare the petitioner passed in view of the Regulations of Medical Council of India.

For petitioner : Mr.R.Gopinath

For respondents : Mr.V.P.Raman for R-1
Mr.L.Swaminathan for RR-2 to 7

ORDER

The petitioner has come forward with the above Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the second respondent culminating in the order dated 02.09.2015 made in Ref.No.MGM/SBV/RTI/2015/1078 and quash the same and consequently direct the second and third respondents herein to produce the original answer sheets of all the undermentioned theory papers as per the scheme of PG Regulations of the first respondent herein by causing re-totalling of the theory papers:

- (i) Anterior Segment Clinical Ophthalmology including infraction
 - (ii) Posterior Segment Clinical Ophthalmology including Neuro Ophthalmology
 - (iii) Recent advances including Community Ophthalmology,
- and declare the petitioner passed in view of the Regulations of Medical Council of India.

2. It is stated by the learned counsel for the petitioner that the answer sheets have been given to the petitioners and the learned counsel for the respondents submitted that the answer sheets have also been sent to JIPMER Hospital, Pondicherry, and that it has been confirmed that the petitioner has failed in the subject by securing six marks less than what is required for pass. That being the case and in view of the subsequent development and that the petitioner/candidate has failed, no further adjudication is required to be made in this Writ Petition.

3. Hence, the Writ Petition is disposed of. No costs. Consequently, the Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

cs

To

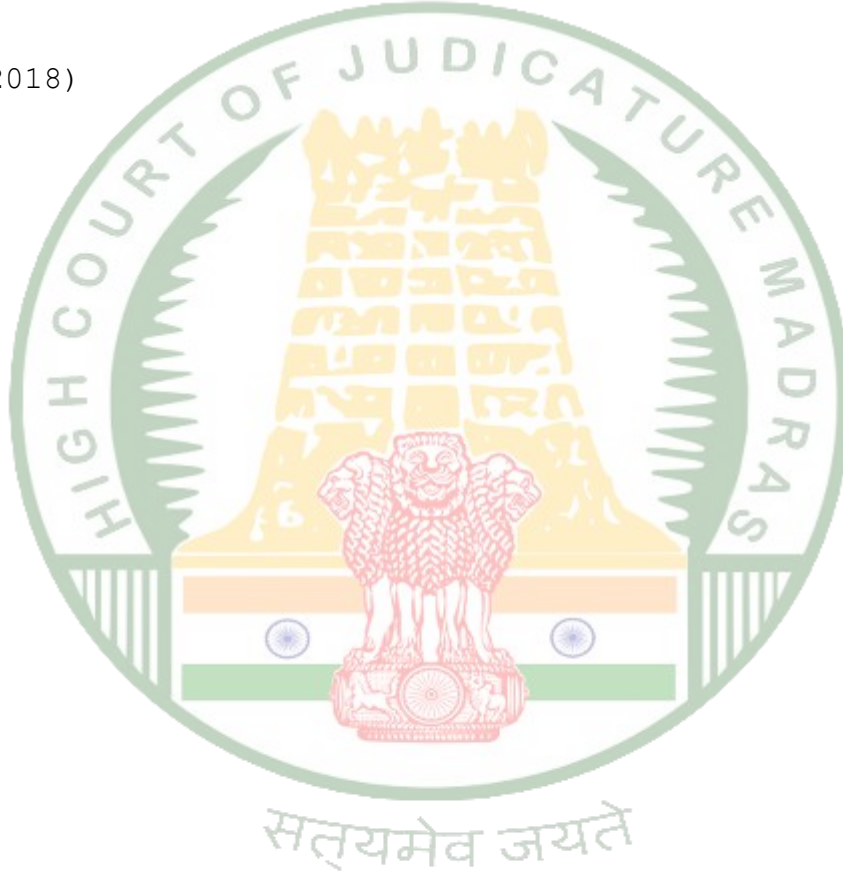
1. The Medical Council of India,
Rep. by its Chairman,
No.8, Dwaraka Phast-I,
New Delhi-110 077.
2. The Registrar,
Sri Balaji Vidyapeet Deemed University,
Cuddalore Pondy Main Road,
Pillayarkuppam,
Pondicherry-607 402.
3. The Controller of Examinations,
Sri Balaji Vidyapeet Deemed University,
Cuddalore Pondy Main Road,
Pillayarkuppam,
Pondicherry-607 402.

WEB COPY

4. Head of Department,
Department of Opthomology,
Sri Balaji Vidyapeet Deemed University,
Cuddalore Pondy Main Road,
Pillayarkuppam,
Pondicherry-607 402.

W.P.No.30307 of 2015

PA (CO)
TR(01/08/2018)



WEB COPY