

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.14439 of 2018
and W.M.P.No.17051 & 19167 of 2018

Minor S.Harini
D/o.S.Shanmugasundaram
Rep. by her mother and natural guardian
S.Akila. Petitioner

Vs.

- 1.The Director General of Health Services,
No.446-A, Nirman Bhawan,
New Delhi-110 108.
- 2.The medical Council of india,
Rep. by its Secretary, Maulana Azad Road,
New Delhi-110077.
- 3.The Selection Committee for MBBS/BDS,
Rep. by its Secretary,
Directorate of Medical Education,
Chennai-600 010. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to receive the application and permit the petitioner to participate in the 2018-2019 M.B.B.S/B.D.S counseling under S.T. Category and admit the petitioner, otherwise she is eligible under government quota or private quota or self finance quota or management quota without insisting upon the production of community certificate.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.G.Karthikeyan (for R1)
Additional Solicitor General

Mr.V.P.Raman (for R2)
Mrs.V.Annalakshmi (for R3)
Government Advocate.

O R D E R

The Writ Petition has been filed seeking issuance of Writ of Mandamus directing the respondents to receive the application and permit the petitioner to participate in the 2018-2019 M.B.B.S/B.D.S counseling under S.T. Category and admit the petitioner without insisting upon the production of community certificate.

2. When the matter is taken up for hearing Mr. G. Karthikeyan, learned Additional Solicitor General, appearing for the first respondent would submit that the community of the petitioner is being considered as S.T. (Scheduled Tribe) and hence, nothing survives for consideration in this Writ Petition.

3. In view of the aforesaid submission, this Writ Petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is also closed.

4. If for any reason, at a later date, it is found that the petitioner does not belong to Scheduled Tribe (ST) Community, the qualification obtained by her in M.B.B.S./B.D.S., cannot be used for any other purpose and it shall be deemed to be invalid, as the seat of a genuine candidate has been deprived of a seat.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

rm

To

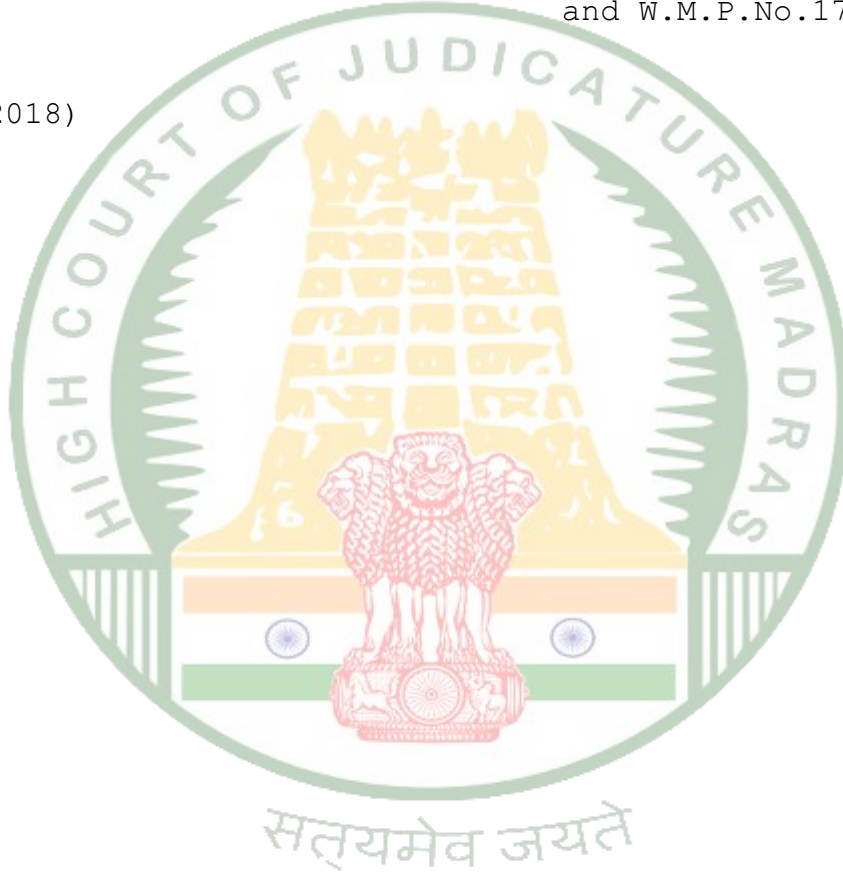
1. The Director General of Health Services,
No. 446-A, Nirman Bhawan, Maulana Azad Road,
New Delhi-110 108.
2. The Secretary, medical Council of india,
Pocket 141 Sector, 8, Dwaraka Phase No.1
New Delhi-110077.

3.The Secretary, Selection Committee for MBBS/BDS,
Directorate of Medical Education, Kilpauk
Chennai-600 010.

+1cc to Mr.S.DORAISAMY, Advocate, S.R.No.42227
+1cc to Mr.V.P.RAMAN, Advocate, S.R.No.42168
+1cc to Mr.G.KARTHIKEYAN, Advocate, S.R.No.42143
+1cc to the Government Pleader, S.R.No. 42731

W.P.No.14439 of 2018
and W.M.P.No.17051 of 2018

SKV(CO)
TR(31/07/2018)



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