

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.03.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.26264 of 2004

and

W.P.M.P.No.31924 of 2004

Sree Balaji Medical College and Hospital
(A unit of Bharath Institute of Higher
Education and Research)

(Deemed University)

No.7 Works Road, New Colony,

Chromepet, Chennai - 600 044

Rep.by its Chairperson

Mrs.J.Anusuya

..Petitioner

vs

1.The State of Tamil Nadu,
Rep.by Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 009.

2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to perform their statutory duty by including the petitioner college and Hospital in the schedule to the Tamil Nadu Anatomy Act for the supply of human cadavers for teaching purposes, pursuant to the inspection held on 11.5.2004 within such time as this Hon'ble Court may prescribe.

For Petitioner : Mr.Rahul Balaji

For Respondents : Mr.C.Munusamy, Spl GP

सतयमेव जयते
O R D E R

The writ petition has been filed for a Mandamus, directing the respondents to perform their statutory duty by including the petitioner college and Hospital in the schedule to the Tamil Nadu Anatomy Act for the supply of human cadavers for teaching purpose, pursuant to the inspection held on 11.5.2004.

2.However, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that it would suffice, if the petitioner is permitted to approach the authorities concerned by way of a fresh representation enclosing all the required documents and on such submission, the authorities concerned may be directed to dispose of the same.

3.The learned Special Government Pleader appearing for the respondents has no serious objection in granting such relief to the petitioner.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court permits the petitioner to submit a fresh representation enclosing all the required documents along with a copy of this order to the authorities concerned within a period of two weeks from the date of receipt of a copy of this order. On such submission, the authorities concerned shall consider the said representation and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of six weeks thereafter.

5.Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kak
To

1.The Secretary to Government,
The State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 009.

2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.

+1 cc to the Govt Pleader sr 19234

W.P.No.26264 of 2004

kk(co)
aa16/04/2018

WEB COPY