

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2018

CORAM

THE HON'BLE MR. JUSTICE HULUVADI G. RAMESH
AND
THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Contempt Petition No.2245 of 2018

J.S.Vignesh Balaji ... Petitioner

Vs.

1. Dr.G.Selvarajan
Secretary, Selection Committee for MBBS/BDS
Directorate of Medical Education
Kilpauk, Chennai – 600 010.

2. Dr.S.Venkatesh
Director General of Health Services
Government of India
Nirman Bhavan, New Delhi – 11.

3. Dr.(Mrs.) Reena Nayyar
Secretary i/c
Medical Council of India
Pocket-14, Sector 8
Dwaraka Phase-1
New Delhi – 110 077.

.. Respondents

PRAYER: Contempt Petition under Section 11 of the Contempt of Courts Act to punish the respondents for wilful disobedience of the order passed in W.A.No.1956 of 2018, dated 6.9.2018.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.C.Munusamy
Special Government Pleader
(Education)
for 1st respondent

No appearance
for respondents 2 and 3

ORDER
(Made by *Huluvadi G.Ramesh,J.*)

This contempt petition is filed to punish the respondents for wilful disobedience of the order passed in W.A.No.1956 of 2018, dated 6.9.2018.

2. This Court, by order dated 6.9.2018, disposed of W.A.No.1956 of 2018 in the following terms:

"6. In the light of the above decision, the appellant/writ petition cannot be denied admission to the MBBS Course. It is also brought to the notice of this Court that admission process is still open till 30th September, 2018. If that be so, it is for the authority to consider the appellant/writ petitioner for admission for the academic year 2018-19 itself, if the candidate is found eligible on merit in that category and if the seats are available. The order passed by the learned Single Judge is modified to the above extent. The writ appeal is disposed of accordingly."

(3)

3. When an identical matter was taken up to the Supreme Court, considering the peculiar facts of the case, the Supreme Court confirmed a similar order passed by this Court and observed that if the seats have already been filled up and admissions are complete for this year, the petitioners therein, who also claimed admission in the physically handicapped category, may be admitted in the next academic year.

4. In the case on hand, inasmuch as admissions are complete for this year, we do not find any wilful disobedience of the order of this Court. The order passed by this Court in the writ appeal is binding on the respondents and it is made clear that the case of the petitioner will be considered for the ensuing academic year.

This contempt petition is, accordingly, closed. No costs.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

sasi

//Certified to be true copy//

Dated at Madras this the day of 2018.

WEB COPY

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

PS/22/11/2018