

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.No. 27371 of 2018

and

W.M.P.No. 31871 of 2018

Mithuna

... Petitioner

Vs.

1. Government of Puducherry
Rep. by Secretary to Government
(Higher & Technical Education)
chief Secretariat,
Puducherry.
2. Centralised Admission Committee
Rep. by Co-ordinator (Admission)
Government of Puducherry
Pondicherry Engineering College Campus
Puducherry - 605 014.
3. Medical Council of India
Represented by Secretary
Sector VIII
Dwaraga Phase II
New Delhi - 110 077.
4. Pondicherry Institute of Medical Sciences
Represented by its Registrar
Kalapet,
Puducherry 605 014.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to forthwith allot a seat in UG Medical Course in the fourth respondent College for the year 2018-19 herein to the petitioner and to direct the fourth respondent herein to admit the petitioner in the College in UG Medical Course for this year i.e., 2018-2019 in any of the vacancy to arise in the light of the directions issued by the Hon'ble Supreme Court of India in Judgment dated 09.10.2018 in Civil Appeal No. 10369 of 2018 arising out of SLP (c) No. 24064 of 2018.

For Petitioner

: Mr. M.Ravi

For RR 1 & 2

: Mr. D.Ravichandar
Additional Government Pleader

ORDER

Seeking a direction to direct the second respondent herein to forthwith allot a seat in UG Medical Course in the fourth respondent College for the year 2018-19 herein to the petitioner and to direct the fourth respondent herein to admit the petitioner in the College in UG Medical Course for this year ie., 2018-2019 in any of the vacancy to arise in the light of the directions issued by the Hon'ble Supreme Court of India in Judgment dated 09.10.2018 in Civil Appeal No. 10369 of 2018 arising out of SLP (c) No. 24064 of 2018, the present Writ Petition came to be filed.

2. By consent, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3. Heard Mr. D.Ravichandar, learned Additional Government Pleader appearing for the respondents 1 and 2. In view of the order passed by this Court, notice is not necessary to the respondents 3 and 4.

4. This Writ Petition has been filed based on the observation of the Hon'ble Supreme Court made in Special Leave to Appeal (C) No. 24064 of 2018 dated 09.10.2018.

5. The learned counsel appearing for the petitioner states that this Court has reserved one seat for the next year for the petitioner only because of the impediment by the order of the Hon'ble Supreme Court regarding time schedule. Since the Hon'ble Supreme Court has directed specifically in respect of Union Territory, Pondicherry, to substitute the candidates, who have been wrongly or illegally admitted within seven days, it is stated that the candidature of petitioner can be considered this year.

6. The contention of the learned counsel for the petitioner may be accepted if it is a case of review.

7. This Court is of the view that the order passed by this Court earlier in another Writ Petition cannot be modified so as to accommodate the petitioner this year. However, it is open to the petitioner to file an Appeal in so far as the portion of order regarding reservation of one seat for the petitioner next year.

8. With the above observation, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government
Government of Puducherry
(Higher & Technical Education)
Chief Secretariat,
Puducherry.
2. The Co-ordinator (Admission)
Centralised Admission Committee
Government of Puducherry
Pondicherry Engineering College Campus
Puducherry - 605 014.
3. The Secretary
Medical Council of India,
Sector VIII, Dwaraga Phase II,
New Delhi 110077
4. The Registrar
Pondicherry Institute of Medical Sciences
Kalapet, Puducherry 605 104

+1 cc to M/s.M.Ravi Advocate sr 71229

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