

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.9116 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief/ s:

'...to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not allowing the petitioner Educational society to undergo clinical training of the students of the proposed courses as arbitrary, illegal and against the principles of natural justice and consequently direct the respondents to consider the representation of the petitioner dt.24-01-2018 made to the 2nd respondent and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.'

I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader for Health, Medical and Family Welfare appearing for the respondents.

Learned counsel for the petitioner would submit that if a direction is given to the respondents to consider the representation, dated 24.01.2018, of the petitioner made to the 2nd respondent, the ends of justice would be met.

Learned Government Pleader, on written instructions which are placed on record, would submit that the Superintendent, King George Hospital, Visakhapatnam, issued a no objection certificate, on 30.01.2018, clearly informing that the hospital has no objection to impart necessary training to the students provided the higher authority, namely, Director of Medical Education issues necessary permission and that till date the petitioner has not approached the said authority and obtained permission and that as and when permission is accorded by the said authority, the Superintendent, King George Hospital, has no objection to impart training to the students in the hospital as per the prevailing practice.

In reply, learned counsel for the petitioner would submit that the writ petition may be disposed of reserving liberty to the petitioner to approach the Director of Medical Education for obtaining appropriate permission.

Recording the afore-said submissions, the Writ Petition is disposed of reserving liberty to the petitioner to file a representation before the Director of Medical Education for necessary permission. It is needless to state that in the event the Director accords necessary permission, the Superintendent, King George hospital, Visakhapatnam, shall impart necessary training to the students in the said hospital.

There shall be no order as to costs.

Miscellaneous petitions, pending if any, also shall stand closed.

02.04.2018

Note: Issue CC in five days.

[B/o]

Vjl

M. SEETHARAMA MURTI, J

