

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.04.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Review Applications Nos.51 to 56/2019 in WA.Nos.147, 149, 160,
166, 168 & 192/2019

Rev.Appln.No.51/2019

1. The Secretary to Government
Health and Family Welfare Department
Government of Tamil Nadu
St George Fort, Chennai 600 009.
 2. The Director of Medical Education
156, Poonamallee High Court,
New Bupathy Nagar, Chetpet
Chennai-600 031
- .. Petitioners

Versus

1. Yenetala Madhu Preethi
 2. The Health Secretary, Ministry of
Health and Family Welfare
Government of India, Nirman Bhawan
New Delhi-11.
 3. The Secretary
Medical Council of India,
Pocket-14 Sector-8
Dwarka, New Delhi.
 4. The Registrar
Tamil Nadu Dr.MGR Medical University
69, Anna Salai Guindy, Chennai 602117.
- .. Respondents

Prayer in Review Application No.51/2019:- Review filed under section 114 read with Order 47 Rule 1 CPC to review the order dated 01.02.2019 made in WA.No.147/2019.

WA.No.147/2019:-

Writ Appeal filed under clause 15 of the Letters Patent against the order dated 13/12/18 and made in WP.No.25793/2018.

WP.NO.25793/2018:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing all the respondents other than the 5th respondent to transfer the petitioner from the 6th respondent college to any other Government Medical College to the II year MBBS Course.

For Petitioners:	Mrs.Narmadha Sampath, AAG assisted by Mr.T.M.Pappiah, SplGP
For R1	: M/s.Row and Reddy
For R2	: Mr.Rabu Manohar
For R4	: Mr.D.Ravichander
For R3	: Mr.V.P.Raman

Rev.Appln.No.52/2019

1. The Secretary to Government
Health and Family Welfare
Government of Tamil Nadu
St George Fort, Chennai 600 009.
2. The Director of Medical Education
Government of Tamil Nadu
EVR Road, Kilpauk, Chennai 10.

.. Petitioners

Versus

- 1.Su.Archana
- 2.D.Vasundara Priyadharshini
- 3.R.Preetha
- 4.I.Indhymathy
- 5.M.Sathyapriya
- 6.G.Ramya
- 7.S.Geethanjali
- 8.C.Ramya Sekhar
- 9.P.B.Rajasree
- 10.S.Shenbaga Reethika
- 11.S.Sainath
- 12.J.Sabeetha Tabassum
- 13.M.Vedha Manjari
- 14.S.Tamilselvan,
- 15.D.Divya Venkateshwari
- 16.S.Geethanjali
- 17.V.Reshma
- 18.M.Kavipriya
- 19.H.Juhe Sreen
- 20.S.Rakshana
- 21.V.A.Mathumitha
- 22.S.Sruthi
- 23.R.Shakthi
- 24.R.Mohanapriya
- 25.D.Deepakh chander
- 26.S.Preethi
- 27.T.Mariyam
- 28.G.Ronaldo
- 29.B.Poovaraghavan
- 30.N.A.Chidambara Natarajan
- 31.N.Gunalan
- 32.R.Muthupandi
- 33.K.Praburajan
- 34.S.Kanimozhi
- 35.S.B.Remena Seals
- 36.P.Sri Elango Kannan,
- 37.H.Kaviya
- 38.S.Samini
- 39.R.Mounika
- 40.V.Pavithra
- 41.N.S.Pratheeba
- 42.D.S.Nishaa
- 43.N.Sundarraaj
- 44.P.N.S.Selvapriya
- 45.S.Harshita Satya
- 46.P.Tejaswi
- 47.K.Kaviyarasi
- 48.S.Jansi Rani
- 49.R.R.Harini
- 50.S.Vaishali
- 51.Megha V.Kumar
- 52.C.Aravind Kumar
- 53.S.Siva
- 54.J.Kanimozhi

- 55.A.Sharmila
 - 56.B.Kalaiarasan
 - 57.P.Muthu Vijaya Kumar
 - 58.S.Kaviya
 - 59.Vaibhav Vedanth
 - 60.B.Sandhiya Shree
 - 61.M.Merlin Manisha
 - 62.B.Mamatha
 - 63.K.Rethika
 - 64.T.M.Chearma Sathish Kumar
 - 65.A.Ganesh Adithyan
 - 66.M.Hareenath
 - 67.S.Viswa
 - 68.P.M.Sajjan
 - 69.P.Kishore Kumar
 - 70.S.Sylaja
 - 71.A.Narmadha
 - 72.R.Aarthy
 - 73.R.Arunkumar
 - 74.V.Aparna
 - 75.R.Sivanesan
 - 76.S.Vishnu Chander
 - 77.S.Sindhuja
 - 78.K.Vijaya Kandeegan
 - 79.S.Vishnu Kumar
 - 80.S.K.Vimal Raj
 - 81.M.Priyadharshini
 - 82.K.Prathula
 - 83.V.Rajeswari
 - 84.P.Parameshwari
 - 85.E.Nedunchehiyan
 - 86.S.Nithila
 - 87.Kifayathulla
 - 88.K.V.Keerthana
 - 89.P.Dinesh
 - 90.M.Masilamani
 - 91.V.Nayanapreethi
 - 92.A.Gunaranjan
 - 93.R.Haripriyadharshini
 - 94.S.Mohammed Ibrahim
 - 95.K.Nandhini
 - 96.R.Keerthana
 - 97.B.Kaviyaran
 - 98.V.Aishwarya
 - 99.Afra Thapassum
 - 100.Muzeebur Rahman
 - 101.S.Kabilan
 - 102.V.Arun Kumar
 - 103.V.Pavan Sai
 - 104.The Health Secretary, Ministry of
Health and Family Welfare
Government of India, Nirman Bhawan
New Delhi-11.
 - 105.The Secretary
Medical Council of India,
Pocket-14 Sector-8, Dwarka, New Delhi.
 - 106.The Registrar
Tamil Nadu Dr.MGR Medical University
69, Anna Salai Guindy, Chennai 600 032.
 - 107.Ponniyah Ramajayam Institute of Medical
Sciences [PRIMS], Manamai Nallur,
East Cost Road, Chennai 603 102
Kancheepuram District.
- .. Respondents

Prayer in Review Application No.52/2019:- Review filed under section 114 read with Order 47 Rule 1 CPC to review the order dated 01.02.2019 made in WA.192/2019.

WA.192/2019:-

Writ Appeal filed under clause 15 of the Letters Patent against the order dated 13/12/18 and made in WP.No.22111/2018.

WP.NO.22111/2018:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to take over the responsibility of the students already admitted in the 6th respondent college including the petitioners herein with the permission of the 1st respondent and transfer them to the colleges run by the 2nd respondent in order to enable the petitioners to continue their MBBS course.

For Petitioners: Mrs.Narmadha Sampath, AAG
assisted by Mr.T.M.Pappiah, SplGP

For RR 1 to 103: Mr.Silambanan, SC for
Mr.H.Rajasekar
For R104 : Mr.Rabu Manohar
For R105 : Mr.V.P.Raman
For R106 : Mr.D.Ravichander

Rev.Appln.No.53/2019

1. The Secretary to Government
Health and Family Welfare
Poonamallee High Court,
New Bupathy Nagar, Chetpet
Chennai-600 031

2. The Director of Medical Education
156, Poonamallee High Court,
New Bupathy Nagar, Chetpet
Chennai-600 031

.. Petitioners

Versus

1. Antony Prakash Raj

2. The Health Secretary, Ministry of
Health and Family Welfare
Government of India, Nirman Bhawan
New Delhi-11.

3. The Secretary
Medical Council of India,
Pocket-14 Sector-8
Dwarka, New Delhi.

4. The Registrar
Tamil Nadu Dr.MGR Medical University
69, Anna Salai Guindy, Chennai 602117.

5. Ponniyah Ramajayam
Institute of Medical Sciences,
Manamai-Nallur,
East Coast Road.
Chennai-600 009.

.. Respondents

Prayer in Review Application No.53/2019:- Review filed under section 114 read with Order 47 Rule 1 CPC to review the order dated 01.02.2019 made in WA.No.149/2019.

WA.No.149/2019:-

Writ Appeal filed under clause 15 of the Letters Patent against the order dated 13/12/18 and made in WP.No.14637/2018.

WP.NO.14637/2018:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the all the respondents other than the 6th respondent to transfer the petitioner from the 6th respondent college to any other Government medical college to the 2nd year MBBS Course.

For Petitioners: Mrs.Narmadha Sampath, AAG
assisted by Mr.T.M.Pappiah, SplGP

For R1 : M/s.Row and Reddy

For R2 : Mr.Rabu Manohar

For R3 : Mr.V.P.Raman

For R4 : Mr.D.Ravichander

Rev.Appln.No.54/2019

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

2. The Director of Medical Education
156, Poonamallee High Road,
New Bupathy Nagar,
Chetpet, Chennai-600 031

.. Petitioners

Versus

1. L.Gurunathan

2. The Health Secretary, Ministry of
Health and Family Welfare Department,
Government of India, Nirman Bhawan
New Delhi-11.

3. The Secretary
Medical Council of India,
Pocket-14 Sector-8
Dwarka, New Delhi.

4. The Registrar
Tamil Nadu Dr.MGR Medical University
69, Anna Salai Guindy, Chennai 602117.

5. Ponniyah Ramajayam
Institute of Medical Sciences,
Manamai-Nallur,
East Coast Road.
Mahabalipuram
Kancheepuram District-603 102

.. Respondents

Prayer in Review Application No.54/2019:- Review filed under section 114 read with Order 47 Rule 1 CPC to review the order dated 01.02.2019 made in WA.No.160 of 2019.

WA.No.160 of 2019:-

Writ Appeal filed under clause 15 of the Letters Patent against the order dated 13/12/18 and made in WP.No.27129/2018.

WP.No.27129/2018:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the all the respondents other than the 6th respondent to transfer the petitioner from the 6th respondent college to any other Government medical college to the 2nd year MBBS Course.

For Petitioners:	Mrs.Narmadha Sampath, AAG assisted by Mr.T.M.Pappiah, SplGP
For R1	: M/s.Row and Reddy
For R2	: Mr.Rabu Manohar
For R3	: Mr.V.P.Raman
For R4	: Mr.D.Ravichander

Rev.Appln.No.55/2019

1. The Secretary to Government
Health and Family Welfare
Government of Tamil Nadu
St George Fort, Chennai 600 009.
2. The Director of Medical Education
156, Poonamallee High Road,
New Bupathy Nagar,
Chetpet, Chennai-600 031 .. Petitioners

Versus

1. P.Kishorekumar
2. The Health Secretary, Ministry of
Health and Family Welfare Department
Government of India, Nirman Bhawan
New Delhi-11.
3. The Secretary
Medical Council of India,
Pocket-14 Sector-8
Dwarka, New Delhi.
4. The Registrar
Tamil Nadu Dr.MGR Medical University
69, Anna Salai Guindy, Chennai 602117.
5. Ponniyah Ramajayam
Institute of Medical Sciences,
Manamai-Nallur,
East Coast Road.
Chennai-600 009. .. Respondents

Prayer in Review Application No.55/2019:- Review filed under section 114 read with Order 47 Rule 1 CPC to review the order dated 01.02.2019 made in WA.No.166/2019.

WA.No.166/2019:-

Writ Appeal filed under clause 15 of the Letters Patent against the order dated 13/12/18 and made in WP.No.14689/2018.

WP.No.14689 of 2018:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the all the respondents other than the 6th respondent to transfer the petitioner from the 6th respondent college to any other Government medical college to the 2nd year MBBS Course.

For Petitioners: Mrs.Narmadha Sampath, AAG
assisted by Mr.T.M.Pappiah, SplGP
For R1 : M/s.Row and Reddy
For R2 : Mr.Rabu Manohar
For R3 : Mr.V.P.Raman
For R4 : Mr.D.Ravichander

Rev.Appln.No.56/2019

1. The Secretary to Government
Health and Family Welfare Department
Government of Tamil Nadu
St George Fort, Chennai 600 009.
2. The Director of Medical Education
156, Poonamallee High Road,
New Bupathy Nagar,
Chetpet, Chennai-600 031 .. Petitioners

Versus

1. V.Baskar Raja
2. The Health Secretary, Ministry of
Health and Family Welfare
Government of India, Nirman Bhawan
New Delhi-11.
3. The Secretary
Medical Council of India,
Pocket-14 Sector-8
Dwarka, New Delhi.
4. The Registrar
Tamil Nadu Dr.MGR Medical University
69, Anna Salai Guindy, Chennai 602117.
5. Ponniyah Ramajayam
Institute of Medical Sciences,
Manamai-Nallur,
East Coast Road.
Chennai-600 009. .. Respondents

Prayer in Review Application No.56/2019:- Review filed under section 114 read with Order 47 Rule 1 CPC to review the order dated 01.02.2019 made in WA.No.168/2019.

WA.No.168/2019:-

Writ Appeal filed under clause 15 of the Letters Patent against the order dated 13/12/18 and made in WP.No.14638/2018.

WP.NO.14638/2018:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the all the respondents other than the 6th respondent to transfer the petitioner from the 6th respondent college to any other Government medical college to the 2nd year MBBS Course.

For Petitioners: Mrs.Narmadha Sampath, AAG
assisted by Mr.T.M.Pappiah, SplGP
For R1 : M/s.Row and Reddy
For R2 : Mr.Rabu Manohar
For R3 : Mr.V.P.Raman
For R4 : Mr.D.Ravichander

COMMON ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

By consent, all the Review Applications are taken up together and are disposed of by the following common order, in the light of the subsequent developments which took place after the entertainment of the review applications and orders of directions passed by this Court, pending disposal of the same,

2 The present final common order is passed in continuation and in conjecture with the earlier orders dated 13.02.2019 ; 28.03.2019 an 24.04.2019 respectively, passed by this Court, in the above review applications.

3 The learned Single Judge of this Court, vide common order dated 13.12.2018 passed in WP.Nos.22111, 14637 to 14639, 25793 & 27129/2018 filed by Ms.Su.Archana and 102 others and Antony Prakash Raj and 4 others against the Health Secretary, Ministry of Health and Family Welfare, Government of India, New Delhi-110011 and 6 others, had allowed the writ petitions with the following directions:-

''27 For all the aforementioned reasons, falling back on the order passed by this Court in Annai Medical College case, which was confirmed by the Apex Court and moreover, the above order passed by this Court has been accepted as a precedent, these writ petitions are allowed with the following directions:-

- i. The State Government shall send a proposal to the Board of Governors in Supersession of Medical Council of India, to accommodate the petitioners of the sixth respondent - Ponniyah Ramajayam Institute of Medical Sciences in the 22 Government Medical Colleges in the State, within a period of ten days from the date of receipt of a copy of this order.
- ii. The Board of Governors, on receipt of the said proposal, shall take a decision and forward the same to the Ministry of Health and Family Welfare, Government of India, within one week therefrom.
- iii. The Ministry of Health and Family Welfare shall pass necessary orders increasing the number of seats in Government Medical Colleges and approve the accommodation of students studying in the sixth respondent college in the 22 Government Medical Colleges functioning in the State of Tamil Nadu.
- iv. The Board of Governors shall also permit the second respondent to encash the bank guarantee given by the sixth respondent College to meet out the infrastructural facilities including the additional faculty strength, etc.
- v. The sixth respondent college shall give necessary certificates as required by the Government to the individual students so that their accommodation in Government Medical Colleges will be made very easy without any problem.

vi. The students are required to file an affidavit stating that they shall pay the fees fixed by the fee fixation committee every year.'

4 Some of the official respondents in the said writ petitions, viz., the Secretary to Government, Health and Family Welfare, Government of Tamil Nadu, St George Fort, Chennai-9 and the Director of Medical Education, Government of Tamil Nadu, EVR Road, Kilpauk, Chennai-10, aggrieved by a portion of the order in and by which, positive direction has been given to accommodate the petitioners/students of Ponniah Ramajayam Institute of Medical Sciences [PRIMS] in Government Medical Colleges, filed writ appeals and the writ appeals have been entertained.

5 In the miscellaneous petitions filed for interim orders pending disposal of the writ appeals, this Court, vide order date 01.02.2019, had issued the following order of interim-direction:-

[a] In terms of Paragraph No.27[1] of the impugned order, the State Government shall submit a fresh proposal to the Board of Governors in Supersession of Medical Council of India, for the purpose of accommodating the writ petitioners/students of PRIMS Medical College in 22 Government Medical Colleges in the State of Tamil Nadu, within a period of two weeks from the date of receipt of a copy of this interim order ;

[b] The Board of Governors in Supersession of Medical Council of India, on receipt of such proposal from the State of Tamil Nadu, shall consider the said proposal on merits and in accordance with the relevant Rules and Regulations of the Indian Medical Council Act and forward the same to the Ministry of Health and Family Welfare Department, Government of India, within a further period of two weeks thereafter ;

[c] The Ministry of Health and Family Welfare of Government of India/1st respondent in the writ petitions, on receipt of the said proposal from the Board of Governors, shall consider the same on merits and in accordance with law and pass appropriate orders within a further period of two weeks from the date of receipt of the proposal from the Board of Governors and the decision taken in that regard by the said Ministry, shall be kept in a sealed cover and to be produced before this Court on 28.03.2019.'

6 The appellants/the above cited official respondents, to review the order dated 01.02.2019 [referred to supra], had filed the present review applications No.51 to 56 of 2019 and while entertaining the same, this Court vide order dated 13.02.2019, has passed the following order of interim direction without prejudice to the rights and contentions of both parties and it is relevant to extract the same:-

'12 In the light of the above facts and circumstances and the reasons assigned above and without prejudice to the rights and contentions of both parties, there shall be an order of interim direction, directing the Principal

Secretary to the Government, Health and Family Welfare Department, Government of Tamil Nadu, to send necessary proposal for the purpose of accommodating 108 students studying 2nd Year MBBS Course [2016-2017 batch] of Ponnaiah Ramajayam Institute of Medical Sciences [PRIMS] both in 22 Government Medical Colleges as well as 10 Private Medical Colleges within a period of two weeks from the date of receipt of a copy of this order to MCI and upon receipt of the same, MCI, in terms of the relevant Norms, Statutory provisions and Rules and Regulations, has to consider the said proposal and make recommendation in accordance with law to the concerned Department of the Central Government within a further period of two weeks from the date of receipt of such proposal and the Central Government, on receipt of the same, is directed to consider the same in terms of the Norms and Rules and Regulations and Statutory provisions and other parameters and indicate their decision in writing as to the accommodation of the said students and put it in a sealed cover and submit the same before this Court within a further period of two weeks thereafter.'

7 Accordingly, in compliance of the said order of interim direction, the proposal dated 26.02.2019 received from the Secretary to Government, Health and Family Welfare Department, Chennai-9 [first appellant in the writ appeals] was considered by the Board of Governors in the Meeting held on 10.03.2019 and decided to recommend that 108 students of PRIMS College, Kancheepuram admitted during the academic year 2016-2017 to be proportionately adjusted in all the Government Medical Colleges of Tamil Nadu. Since the said proposal may result in intake in excess of the sanctioned seats in the Government Medical Colleges, the Medical Council of India will take steps not to penalise the said Colleges with regard to the students being transferred to Government Medical Colleges during the academic year 2017-2018 and left it to the Central Government to take appropriate decision/action in the light of the said letter. The Government of India, Ministry of Health and Family Welfare, on receipt of the said proceedings of the Board of Governors in Supersession of Medical Council of India dated 10.03.2019, sent a communication to the 1st appellant in the writ appeals on 27.03.2019 and when the review applications were listed on 28.03.2019, this Court has noted the fact that the said communication dated 27.03.2019 is yet to reach the hands of the said official and taking into consideration the plea made by the respective learned counsel for the official respondents and especially, taking into consideration the submission made by the learned Special Government Pleader appearing for the review applicants as to the request for short accommodation, to decide further course of action, has adjourned the matter to 11.04.2019.

8 The matter was listed on 15.04.2019 and the learned Additional Advocate General appearing for the review applicants/appellants in the writ appeals prayed for further accommodation to respond to the communication of the Government of India dated 27.03.2019 and therefore, the matter was adjourned to 24.04.2019 finally.

9 When the review applications were called on 24.04.2019, it was pointed out that the Secretary to Health and Family Welfare of Government of Tamil Nadu has sent a communication dated 09.04.2019 to the Secretary to Government of India, Ministry of Health and Family Welfare, New Delhi-11, pointing

out the difficulties in accommodating 108 students of PRIMS College in Government Medical Colleges and therefore, made a request to recommend to the Government of India to modify their stand and give consent to accommodate the said students in Self Financing Private Medical Colleges, viz., [1]Raja Muthiah Medical College and Research Institute, Annamalai University, Chidambaram ; [2]Karpagavinayaga Institute of Medical Science and Research Centre, Kancheepuram ; [3]Karpagam Faculty of Medical Science and Research, Coimbatore [4]Tagore Medical College and Hospital, Vandalur ; [5]Vellammal Medical College Hospital and Research Institute, Madurai ; and [6]Adiparasakthi Medical College and Research Institute, Melmaruvathur.

10 The said letter was forwarded to the Secretary General, Board of Governors in Supersession of Medical Council of India, in terms of the above cited communication and they in turn, had sent a communication dated 24.04.2019 to the Ministry of Health and Family Welfare, Government of India, stating among other things that in the light of the difficulties expressed by the State Government, the Board of Governors in Supersession of Medical Council of India, decided to accept the request of the State Government vide their letter dated 09.04.2019 to adjust the students of PRIMS College in the above said six Self Financing Private Medical Colleges situate in the State of Tamil Nadu.

11 The said letter was considered by this Court in the hearing of the Review Applications which took place on 09.04.2019 and in the light of the plea made by the Mr.Rabu, Manohar, learned Standing counsel appearing for the Union of India, as to the consideration and passing of appropriate orders, had adjourned the matter to 30.04.2019 [today] with a direction, directing the said Ministry to take a decision on or before 29.04.2019.

12 When the matter is listed today, the learned Standing Counsel appearing for the Union of India has produced the communication of the Ministry of Health and Family Welfare, [Department of Health and Family Welfare], Government of India dated 29.04.2019 in F.No.U-12012/104/2018-ME.I [FTS.3175116] and it is relevant to extract the contents of the said letter:-

Subject: Permission of the Central Government to relocate 108 MBBS students of Ponnaiyah Ramajayam Institute of Medical Sciences, Kancheepuram, Tamilnadu in Six (6) self-financing Private Medical colleges in the State of Tamilnadu- Reg.

Sir,

I am directed to say that the Board of Governors (BoG) in Supersession of Medical council of India (MCI) vide letter dated 24.04.2019 informed the Central Government that after considering the revised proposal of the State Government of Tamilnadu, submitted vide letter No.31917/MCA-2/2017-9 dated 09.04.2019 for reallocation of 108 MBBS students admitted in Ponnaiyah Ramajayam Institute of Medical Sciences, Kancheepuram, Tamilnadu in the academic session 2016-17 in six (6) self financing Private Medical colleges in the State of Tamilnadu, accepted the proposal of the State Government. The BoG-MCI has requested the Central Government to take further action. A copy of BoG-MCI has requested the Central Government to take further action. A copy of BoG-MCI's letter No.MCI-34(41) (R-73)/2019-

Med/106477-479 dated 27.04.2019 received in this regard is enclosed.

2 The Central Government after considering the request of BoG-MCI and hereby permits the Government of Tamilnadu to adjust 108 MBBS students admitted during the year 2016-17 at Ponnaiyah Ramajayam Institute of Medical Sciences, Kancheepuram, Tamilnadu in six (6) self financing Private Medical Colleges in the State of Tamilnadu.

3. This issues in supersession of this Department's earlier letter of even number dated 27.03.2019"

13 Thus, the Government of India, Ministry of Health and Family Welfare, has accepted the recommendation of the Board of Governors in Supersession of Medical Council of India dated 24.04.2019 [referred to supra] and granted permission to the Government of India to adjust 108 MBBS students admitted during the academic year 2016-2017 at PRIMS, Kancheepuram, Tamil Nadu, in six Self Financing Private Medical Colleges in the State of Tamil Nadu and it was also made clear in the said letter that it has been issued in supersession of their earlier order of even number dated 27.03.2019.

14 Mrs.Narmadha Sampath, learned Additional Advocate General assisted by Mr.T.M.Pappiah, learned Special Government Pleader appearing for the review applicants would submit that in the light of the said communication dated 29.04.2019, nothing remains for further adjudication in these petitions and further pointed out that technically the writ appeals had also become infructuous and submits that out of 108 students, 86 of them were admitted in PRIMS under Government quota and 22 students got themselves accommodated under the Management quota and assures this Court on instructions that insofar as 22 students who got admitted under the Self Financing Scheme, their inter se merit will be considered and given accommodation as per the NEET Marks Merit List and the said process will be completed at the earliest for the reason that the students had already lost their studies for nearly one year and insofar as payment of fees is concerned, the learned Additional Advocate General, on instructions would submit that paragrap No.27[vi] of the impugned common order passed in the writ petitions would be complied with in letter and spirit and the said submissions, on instructions, is placed on record.

15 Mr.Silambanan, learned Senior counsel appearing for some of the private respondents/students in the review applications would submit that there is an apprehension that one of the Private Medical Colleges, viz., Adiparasakthi Medical College and Research Institute, Melmaruvathur, is not conducting the 2nd year classes and in response to the same, the learned Advocate General, on instructions, would submit that as and when some of the students are accommodated in the said College, classes for the 2nd Year course would commence immediately. The said submissions, on instructions, is also placed on record.

16 In the light of the subsequent development in the form of the communication of the Board of Governors in Supersession of Medical Council of India dated 24.04.2019 which found acceptance through the communication of the Ministry of Health and Family Welfare, Government of India, dated 29.04.2019 [cited supra], nothing remains for further adjudication in these review applications.

17. In the result, the Review Applications are closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary to Government
Health and Family Welfare
Government of Tamil Nadu
St George Fort, Chennai 600 009.
2. The Director of Medical Education
156, Poonamallee High Court,
New Bupathy Nagar, Chetpet
Chennai-600 031
3. The Health Secretary, Ministry of
Health and Family Welfare
Government of India, Nirman Bhawan
New Delhi-11.
4. The Secretary
Medical Council of India,
Pocket-14 Sector-8
Dwarka, New Delhi.
5. The Registrar
Tamil Nadu Dr.MGR Medical University
69, Anna Salai Guindy, Chennai 602117.

+1cc to M/s.Row and Reddy, Advocate, S.R.No.43296
+1cc to Mr.V.P.Raman, Advocate, S.R.No.42338
+1cc to Mr.Rabu Manohar, Advocate, S.R.No.42333

Review Applications Nos.51 to 56/2019

VD(CO)
NR/18/07/2019