

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2019

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI

AND

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

Writ Appeal No.356 of 2019

- 1.The Tamil Nadu Dr.M.G.R.Medical University
Rep.by its Registrar, No.69, Mount Road
Anna Salai, Guindy, Chennai - 600 032.
- 2.The Controller of Examinations
The Tamil Nadu Dr.M.G.R.Medical University
No.69, Mount Road, Anna Salai
Guindy, Chennai - 600 032. Appellants

-Vs-

- 1.Ms.Priyanka Venkatesh
- 2.The Dean
Government Villupuram Medical College
Villupuram Respondents

For Appellant : Mr.D.Ravichandar

For Respondent : Mr.AR.L.Sundaresan, Senior Counsel
for Ms.AR.L.Gandhimathi - for R1

Mr.V.Kadhirvelu, Special Govt.Pleader - for R2

Prayer : Writ Appeal under Clause 15 of the Letters Patent against the interim order passed in W.P.No.34154 of 2018 dated 29.01.2018

Prayer in W.P.No.34154 of 2018:

Writ Petition filed under Article 226 of the Constitution of India Praying that in the Circumstances stated therein, and in the affidavits filed therewith the High Court will be pleased to issue a Writ of Mandamus Directing the respondents herein to consider the representation dated 05.12.2018 and revalue the petitioners answer papers in Anatomy 1 and 2 and Biochemistry paper 1 and 2 and award appropriate marks as submitted therein and declare the petitioner as pass in Anatomy and Biochemistry in the 1st year MBBS Course in the Examination in the Examination conducted in November 2018.

J U D G M E N T

(Judgment of the Court was delivered by DR.VINEET KOTHARI, J.)

The present intra court appeal is filed by the appellant viz., The Tamil Nadu Dr.M.G.R.Medical University against the interlocutory order made in W.P.No.34154 of 2018, filed by the first respondent student Priyanka Venkatesh, questioning the award of marks in her first year M.B.B.S. Examinations. The learned Single Judge, by the impugned interim order, had only directed the third respondent viz., The Dean, Government Medical College, Villupuram to get the answer sheets evaluated by an expert faculty member once again.

2. It is stated by the learned counsel for both sides that such evaluation by the expert has already been obtained and that the opinion of expert faculty member in a sealed cover has been produced before the learned Single Judge. However, in view of the pendency of the present writ appeal, the learned Single Judge has not proceeded further.

3. Therefore, we dispose of the present writ appeal, with a request to the learned Single Judge to look into the opinion of the expert faculty member and then proceed to pass appropriate orders on merits in accordance with law. The contentions raised before us by both the learned counsel for both sides are left open.

4. With the above observations, the writ appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Co)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

KST
To

The Dean
Government Villupuram Medical College
Villupuram

2.The Registrar,
Tamil Nadu Dr.M.G.R.Medical University
No.69, Mount Road
Anna Salai, Guindy, Chennai - 600 032.

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3.The Controller of Examinations
The Tamil Nadu Dr.M.G.R.Medical University
No.69, Mount Road, Anna Salai
Guindy, Chennai - 600 032.

+1cc to Mr.D.Ravichandar , Advocate SR.No. 50453

+1cc to Mr.Ms.AR.L.Gandhimathi , Advocate SR.No. 50380

W.A.Nos. 356 of 2019

A.SK(30/07/2019)



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