

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.9556 of 2019

and

W.M.P.No.10173 of 2019

Dr.K.Anitha

.. Petitioner

Vs.

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai.
2. The Chairman,
Selection Committee,
Medical Education Board,
Kilpauk, Chennai.
3. The Director,
Director of Medical Education,
Kilpauk, Chennai-600 010.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to include petitioner's period served at Porur Primary Health Centre along with service period served at Kollumedu Primary Health Centre totally 5 years and 2 months and award additional 5% incentive marks before NEET PG Counseling dated 01.04.2019.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mrs.Narmadha Sampath,
Additional Advocate General
assisted by Mr.V.Kadhirvelu,
Special Govt. Pleader
(Hr. Edn.) for R1 and 3

Mr.Abdul Saleem for R2

O R D E R

The petitioner is seeking for a Mandamus to include the period she served at Porur Primary Health Centre along with the service period at Kollumedu Primary Health Centre, where presently she is working, which would make her rural service totally 5 years and 2 months and thus, she will be entitled for 5% of incentive marks for each of the year served.

2. The learned Additional Advocate General, on instructions, pointed out that even in the Prospectus for Admission to Post Graduate Degree/Diploma Courses in Tamil Nadu Government Medical Colleges and Government Seats in Self-Financing Medical Colleges Affiliated to the Tamil Nadu Dr.M.G.R. Medical University and Rajah Muthiah Medical College and Affiliated to Annamalai University for the 2019-2020 Session, wherein, in Clause 16, it is specifically stated that "fractional values of a year will not be counted for awarding weightage marks".

3. Admittedly, in this case, the student has been awarded 5% incentive marks each for four years, which makes her to get 20% incentive marks. The demand of the petitioner is only for the award of incentive marks for the half year, which cannot be granted, as the prospectus very clearly mentions that fractional values of a year will not be counted for awarding weightage marks, which is binding on the petitioner.

4. Accordingly, there is no merit in the writ petition and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

gg

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.
2. The Chairman,
Selection Committee,
Medical Education Board,
Kilpauk, Chennai.

3. The Director,
Director of Medical Education,
Kilpauk, Chennai-600 010.

+1cc to Mr.D.Rajagopal, Advocate, SR.No.31173

+1cc to Mr.Abdul Saleem, Advocate, SR.No.32233

+1cc to the Govt.Pleader, Vide Sr.No.31580

W.P.No.9556 of 2019

Kak (15/05/2019)



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