

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.09.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.28201 of 2019

and

W.M.P.No.27871 of 2019

P.Preethi

.. Petitioner

/versus/

1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Health & Family Welfare Department,
Secretariat, Fort St.George, Chennai 600 009.

2.The Directorate of Medical Education,
162, EVR Periyar High Road, Kilpauk,
Chennai 600 010.

3.The Secretary,
Selection Committee,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai 600 010.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner for admission to MBBS Degree course for the academic session 2019-2020 in the vacancy arose in Government Theni Medical College and Hospital, based on the communal rank assigned to the petitioner forthwith.

For Petitioner :Mr.G.Sankaran

For Respondents :Mr.N.Inbanathan, AGP for R1
Mr.V.Kathirvelu, for R2 and R3

O R D E R

Heard Mr.G.Sankaran, learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Additional Government Pleader, who takes notice for the first respondent and Mr.V.Kathirvelu, learned counsel, who takes notice for respondents 2 and 3.

2. The prayer in the writ petition is to issue a Writ of Mandamus directing the respondents to consider the petitioner for admission to MBBS Degree course for the academic session 2019-2020 in the vacancy arose in Government Theni Medical College and Hospital, based on the communal rank assigned to the petitioner forthwith.

3. The petitioner herein, in anticipation of action regarding one K.V.Udit Surya, who alleged to have secured M.B.B.S. Degree Course by impersonation, seeks up-gradation to the Government Theni Medical College and Hospital. Such prayer cannot be sought by filing writ petition for two reasons: firstly, the allotment of seat to K.U.Udit Surya in Government Theni Medical College has sofar not been cancelled and declared vacant. Secondly, the counselling and admission process have already over. There cannot be any upgradation or change from private college to government college after the cut of date.

4. Hence, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Health & Family Welfare Department,
Secretariat, Fort St.George, Chennai 600 009.

2.The Directorate of Medical Education,
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3.The Secretary,
Selection Committee,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai 600 010.

+1 CC to Mr.G.Sankaran, Advocate sr 82617

+1 CC to Mr.V.Kathirvelu, Advocate sr 82108.

+1 CC to The Govt. Pleader sr 82316.

W.P.No.28201 of 2019

EV(CO)

SP(31/10/2019)