



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

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CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.19208 of 2019

R.Yamini

... Petitioner

/Vs./

1.The Secretary,
Selection Committee,
Directorate of Medical Education,
#162, Periyar E.V.R.High Road,
Kilpauk, Chennai - 600010.

2.Medical Council of India,
Pocket - 14, Sector - 8,
Dwarka Phase - 1,
New Delhi - 110077,
represented by it's Director.

3.The Secretary,
Department of Health and Family Welfare,
Govt., of TamilNadu,
Fort St.George,
Chenanai - 600 009.

... Respondents

PRAYER: Writ Petition - filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 20.08.2019.

For Petitioner : Mr.U.Kasipandian

For R-1 & R-3 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

For R-2 : Mr.P.Mahendran
for Mr.V.P.Raman



ORDER

Mr.U.Kasipandian, learned counsel on record for writ petitioner is before this Court.

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2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of respondents 1 and 3. Mr.P.Mahendran, learned counsel for Mr.V.P.Raman, learned counsel accepts notice on behalf of second respondent.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 20.08.2019 wherein writ petitioner has made some plea regarding M.B.B.S., admission in a Government College in TamilNadu.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the first respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 20.08.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the first respondent is the authority who shall consider the aforementioned representation dated 20.08.2019 made by the writ petitioner (page Nos.11 to 13 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 20.08.2019 shall be disposed of by the first respondent on its own merits and in accordance with law as expeditiously as possible and in any event, on or before 27.09.2019.

8. It is made clear that in the course of the representation being considered by the first respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the first respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by the first respondent to the writ petitioner under due



acknowledgement immediately after completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Secretary,
Selection Committee,
Directorate of Medical Education,
#162, Periyar E.V.R.High Road,
Kilpauk, Chennai - 600010.
2. The Director,
Medical Council of India,
Pocket - 14, Sector - 8,
Dwarka Phase - 1,
New Delhi - 110077,
3. The Secretary,
Department of Health and Family Welfare,
Govt., of TamilNadu,
Fort St.George,
Chenanai - 600 009.

+1 CC to M/s.U.KASIPANDIAN, Advocate (SR-87625[F] dated 19/09/2019)

+1 CC to M/s.SPL GP (SR-87968[F] dated 19/09/2019)

Order made in
W.P(MD)No.19208 of 2019
Dated: 18.09.2019

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JMN(20.09.2019) 3P : 6C