

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.30420 of 2005 and

W.M.P.No.33294 of 2005

Dr.S.Lakshmi

... Petitioner

vs.

The Medical Council of India,

Rep. by its Secretary,

Lt.Col.Dr.A.R.N.Setalvad (Retd.),

Aiwan-E-Gali b Marg,

Kotla Road, Opp. Mata Sudari College (for Women),

New Delhi - 110 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records from the respondent in Lr.No.3(C)2004-Med/19423 dated 01.11.2004, quash the same and further direct the respondent to restore the name of the petitioner in the Indian Medical Register.

For Petitioner : No Appearance

For Respondent : Mr.M.S.Seshadri
For Mr.V.P.Raman

O R D E R

The Writ Petition has been filed to quash the letter in Lr.No.3(C)2004-Med/19423 dated 01.11.2004 of the respondent, whereby the name of the petitioner was erased from the Indian Medical Register temporarily from 01.11.2004 to 31.07.2007 and it was also stated therein that the petitioner would not be eligible to be considered as a Teacher in any Medical College for the academic years 2005-2006 and 2006-2007. The petitioner also sought a direction to the respondent to restore her name in the Indian Medical Register.

2. When the matter came up for hearing on 02.01.2018, there was no representation for the petitioner and again, the matter was listed on 26.11.2019, on which date also, none represented for the petitioner. Even today, nobody entered appearance on behalf of the petitioner.

3. Learned counsel for the respondent contended that during inspection, it was found that the petitioner was employed in two different places, pursuant to which, the respondent imposed a punishment of removing the name of the petitioner from the Indian Medical Register temporarily from 01.11.2004 to 31.07.2007 and she was also not eligible to be considered for appointment as a Teacher in any Medical College for the academic years 2005-2006 and 2006-2007. It was further contended that the petitioner had filed yet another Writ Petition in W.P.No.27071 of 2005, in which the very same counsel entered appearance and the said Writ Petition was also dismissed for default on 21.11.2013.

4. From the act of the petitioner, it could be visualized that the petitioner has not shown any indulgence to adjudicate the matter and moreover, the punishment period was also over. Therefore, this Court is of the view that nothing survives for adjudication in the writ petition and no purpose would be served in keeping the matter pending endlessly.

5. Hence, the Writ Petition is closed as having become infructuous. No costs. Consequently, connected Miscellaneous Petition is also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To
The Medical Council of India,
Rep. by its Secretary, सतयमेव जयते
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W.P.No.30420 of 2005

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