

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Twenty First day of May Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

and

THE HON`BLE MS JUSTICE P.T.ASHA

WMP No.9064 of 2020

IN WP No.1408 of 2020

S.VIVITHASHREE [PETITIONER]

Vs

1 THE REGISTRAR, [RESPONDENTS]
ANNAMALAI UNIVERSITY, ANNAMALAI NAGAR -602 002.

2 THE CONTROLLER OF EXAMINATION
ANNAMALAI UNIVERSITY, ANNAMALAI NAGAR -602 002.

3 THE DEAN
RAJA MUTHIAH MEDICAL COLLEGE, ANNAMALAI
UNIVERSITY, ANNAMALAI NAGAR -602 002.

4 THE CHAIRMAN,
STATE LEVEL SCRUTINY COMMITTEE, ADI DRAVIDAR
AND TRIBAL WELFARE DEPARTMENT, FORT ST.
GEORGE, CHENNAI -9.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue interim directions directing the respondents to issue the 3rd and 4th year mark sheets to the petitioner and permit her to register herself for the CRRI(Compulsory Rotatory Resident Internship) (House surgency) commencing from March 2020 and issue Registration Certificate from the Tamilnadu Medical Council,(in WMP.NO.9064 of 2020) pending disposal of the main W.P.NO.1408/2020

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.VIJAY SHANKAR, Advocate for the petitioner and Mr.P.GODSON SWAMINATH, Advocate on behalf of the

Respondents 1 to 3 and Mr.V.JAYAPRAKASH NARAYANAN, Advocate for respondent 4 the court made the following order:-

[Order of the Court was made by *M.M.SUNDRESH, J.*]

The petitioner herein joined the Medical Course under the Scheduled Tribe category. She was suspended from attending the classes on the premise that she has produced a false certificate. By virtue of the order passed by this Court in W.P.No.40550 of 2015 on 22.12.2015, she was permitted to continue. Thereafter, a direction was also issued to consider the issue of community of the petitioner by the State Level Scrutiny Committee. However, no final decision has been taken till date.

2. In the mean while, the petitioner has completed four years of study. She was not permitted to write the final year examination. Thereafter, by an order of this Court dated 10.01.2020 in W.P.No.553 of 2020, she has got permission to appear for the examination. Now, she is not permitted to do the house surgency as her third and fourth year mark sheets have not been produced. Needless to state that after successful completion of the fourth year alone, a student can do the Compulsory Rotatory Resident Internship (CRRI). Hence, seeking appropriate orders, the present petition has been filed.

3. We do find that the petitioner has made out a case. As of now, the order passed in the writ petition has not been complied with. She has already completed fourth year. Until and unless the mark sheets are issued, the petitioner may not be in a position to know her position, which is inclusive of doing CRRI.

4. In such view of the matter, a direction is issued to the third respondent to issue the third and fourth year mark sheets to the petitioner. Based upon the same, the petitioner will be permitted to do the CRRI as per law. The aforesaid mark sheets will have to be given to the petitioner within a period of one week from the date of receipt of a copy of this order, which is subject to the final order in the writ petition.

5. The miscellaneous petition stands disposed of accordingly.

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21/05/2020

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE REGISTRAR
ANNAMALAI UNIVERSITY, ANNAMALAI NAGAR - 602 002

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UNIVERSITY, ANNAMALAI NAGAR 602 002

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STATE LEVEL SCRUTINY COMMITTEE, ADI DRAVIDAR
AND TRIBAL WELFARE DEPARTMENT, FORT ST. GEORGE, CHENNAI- 9

C.C. to Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in

WMP.9064/2020

in

WP No.1408/2020

Date :21/05/2020

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