

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2020

CORAM

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.8381 of 2020

I.Santhosh,
S/o.V.Illancheran,
No.12, 1st Cross,
Rajiv Gandhi Nagar,
New Saram,
Pondicherry - 605 013.

... Petitioner

Vs.

1. The Medical Council of India,
MCI Building Pocket-14,
Sector - 8, Dwarka Phase I,
New Delhi - 110 077.

2. The Controller of Examination,
Pondicherry University, Kalapet,
Puducherry - 605 104.

3. Pondicherry Institute of Medical Sciences,
Kalapet, Pondicherry - 605 014.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for Writ of Mandamus directing the 2nd respondent to grant seven (7) marks as grace marks towards the petitioner's practical examination of General Surgery in the III Professional Part-II MBBS of November 2019 Examinations as per Medical Council of India Regulations Chapter IV 13(10) & Pondicherry University Examination Regulations 2009-2010 as claimed in the representation dated 29.02.2020 received by the 2nd respondent on 02.03.2020.

For Petitioner : Mr.Mohana Murali

For R1 : Mr.V.P.Raman,

For R2 : Mr.M.Ravi,

ORDER

This matter is taken up for hearing through Video-Conferencing.

2. Mr.V.P.Raman, Learned Counsel takes notice for the respondent No.1 and Mr.M.Ravi, Learned Counsel takes notice for the respondent No.2. Notice to the 3rd respondent is dispensed with in the light of the limited prayer sought for by the petitioner.

3. Though the petitioner has asked for a mandamus directing the respondents to grant a grace marks in the practical examination, Mr.K.Mohanamurali, Learned Counsel for the petitioner would restrict his prayer, for a direction to dispose of the representation of the petitioner dated 02.03.2020 made to the 2nd respondent.

4. Mr.M.Ravi, Learned Counsel appearing for the 2nd respondent would submit that the 2nd respondent would dispose of the representation in the light of the relevant rules within a period of six weeks, from today.

5. In light of the submissions made by the Learned Counsel on either side, the Writ Petition is disposed of directing the 2nd respondent/University to dispose of the representation of the petitioner dated 02.03.2020, in the light of the relevant statutory provisions and rules, within a period of six weeks, from today. No costs.

Sd/-

Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

bsm
To,

- 1.The Secretary,
Medical Council of India,
MCI Building Pocket-14,
Sector - 8, Dwarka Phase I,
New Delhi - 110 077.
2. The Controller of Examination,
Pondicherry University, Kalapet,
Puducherry - 605 104.
3. Pondicherry Institute of Medical Sciences,
Kalapet, Pondicherry - 605 014.

A.SK(22/07/2020)

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