

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WMP.No.11420 of 2020
in W.P.No.9336 of 2020

1. Dr.Gopinath Subbaian,
S/o. V. Subbaian,
No.5, Ward -II, 35-2, Third Block,
Chinnamannor P.O.
Theni District - 625 515.
2. Dr. Britto Sabu,
S/o. Sabu George,
Poonthra House,
Kadamattom P.O. Ernakulam, Kerala - 682 311.
3. Dr. Marina Alexander,
D/o. C.G. Alexander,
Poonthra House,
Kadamattom P.O.
Ernakulam, Kerala - 682 311.
4. Dr. A. R. Satthisshh Egappan,
S/o. CT Arunachalam,
180/Thoppukadu,
Fair Lands, Salem - 636 016.
5. Dr. V. Sahana Shruthi,
Daughter of Vasikaran.G.
New No.13, Old No.6,
Srinagar Colony,
Kumbakonam - 612 001.

.. Petitioners

Vs

1. The Union of India,
Represented by its Secretary,
Ministry of Health and Family Welfare,
(Department of Health -DE Section),
Maulana Azad Road, New Delhi - 110 011.
 2. The Medical Council of India,
Represented by its Joint Secretary/Assistant Secretary,
Pocket - 14, Sector - 8, Dwaraka, Phase -I,
New Delhi - 110 077.
 3. The Union Territory of Puducherry,
Represented by its Under Secretary
to Government (Health),
Chief Secretariat, Puducherry.
 4. Central Admissions Committee (CENTAC),
Represented by its Chairman/Convener,
Pondicherry Engineering College Campus,
Puducherry - 605 014.
 5. Sri Venkateshwara Medical College,
Hospital and Research Centre,
Represented by its Chairman,
B. Ramachandran,
No.13A, Pondy, Villupuram Main Road,
Ariyur, Puducherry - 605 102.
 6. The Pondicherry University,
Rep. by its Registrar, Administrative Building,
R.V. Nagar, Kalapet, Puducherry - 605 014.
 7. The Controller of Examination(i/c),
Pondicherry University,
R.V. Nagar, Kalapet, Puducherry - 605 014.
- .. Respondents

Prayer in W.P.No.9336 of 2020: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 6th respondent in proceedings dated 23.06.2020 in Pu.Aca-07/Recognition/2020/176 and quash the same and permit the petitioners to sit for the final MD/MS course examinations in the 5th respondent institution.

Prayer in WMP.No.11420 of 2020: Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, praying to issue a direction to direct the 6th respondent to issue hall tickets to the petitioners and permit the petitioners to sit for the final year PG MD/MS Course examination in the 5th respondent Institution pending disposal of the main writ petition.

For Petitioner : Mr. N.S. Nandakumar

For Respondents : Mr.Bajanai Raja for R1
Mr.V.P.Raman for R2
Mr.M.Ravi for R6
Mr.A.V.Ramalingam
Additional Government Pleader
(Pondicherry) for R3

ORDER

It is seen from the records that the orders discharging the petitioners was already a subject matter of challenge before this Court and the said order has been stayed by this Court. Pursuant to the same, the petitioners have undergone the course. The examination is scheduled to be conducted from tomorrow and therefore they have filed the present petition seeking for a direction to the

University to issue hall tickets to the petitioners in order to take the examination.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondents.

3. Taking into consideration the facts and circumstances of the case and in order to balance the rights of the respective parties, this Court deems it fit to issue a direction to the Pondicherry University to issue hall tickets to the petitioners in order to enable them to write the examination. The results shall not be published and this direction is subject to the result of the writ petition.

4. Mr.M.Ravi, learned Standing Counsel appearing on behalf of the Pondicherry University is directed to immediately inform the Registrar of the University to issue the hall tickets to the petitioners in order to enable them to take the examination commencing from tomorrow. The learned counsel appearing for the petitioners shall furnish the names of the petitioners and other particulars to Mr.M.Ravi, learned Standing Counsel for the University, immediately in order to enable him to communicate the order to the Registrar of the University.

5. This Miscellaneous petition is disposed of accordingly. Post the main writ petition on 12.08.2020.

17.07.2020

Index : Yes/No
Internet : Yes/No
mp

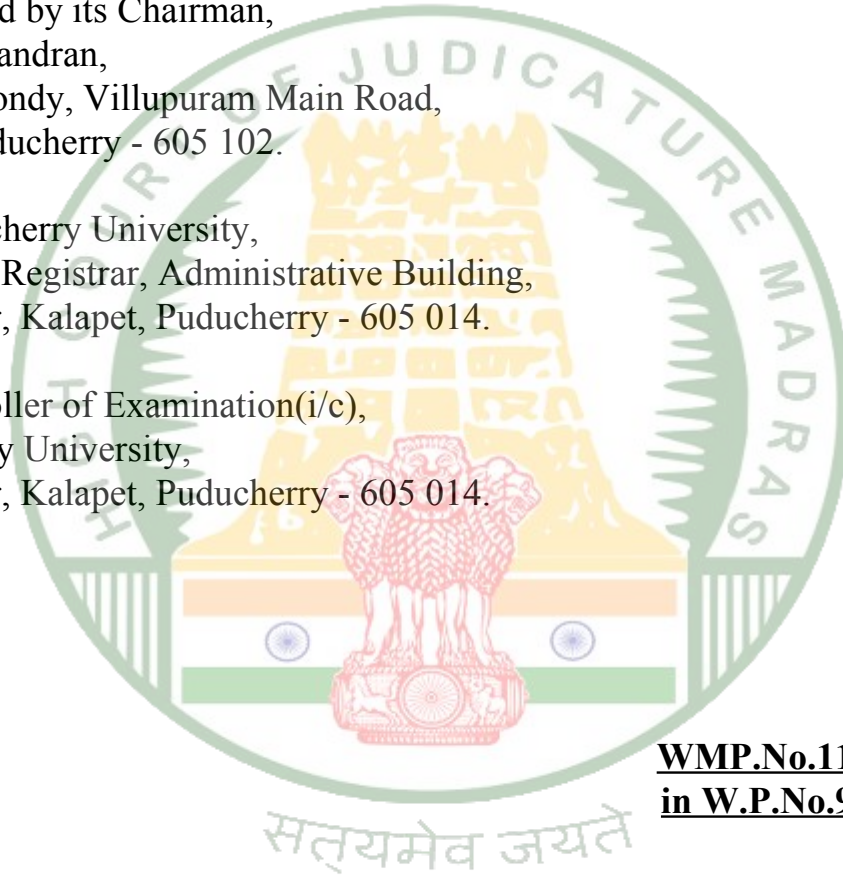
To

1. The Secretary,
Union of India,
Ministry of Health and Family Welfare,
(Department of Health -DE Section),
Maulana Azad Road, New Delhi - 110 011.
2. The Medical Council of India,
Represented by its Joint Secretary/Assistant Secretary,
Pocket - 14, Sector - 8, Dwaraka, Phase -I,
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3. The Union Territory of Puducherry,
Represented by its Under Secretary
to Government (Health),
Chief Secretariat, Puducherry.
4. Central Admissions Committee (CENTAC),
Represented by its Chairman/Convener,
Pondicherry Engineering College Campus,
Puducherry - 605 014.

N.ANAND VENKATESH.J.,

mp

5. Sri Venkateshwara Medical College,
Hospital and Research Centre,
Represented by its Chairman,
B. Ramachandran,
No.13A, Pondy, Villupuram Main Road,
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