

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9458 of 2020

S.Kiruthiyga,
D/o.Sivaraj.

... Petitioner

Vs.

1.The Director of Medical Education,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-10.

2.Secretary/Additional Director of Medical Education,
Selection Committee,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-10.

... Respondents.

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Certiorarified Mandamus calling for the records pertaining to dated 13.07.2020 in Notification No.13/SCS II(i)/2020 and quash the same and consequently direct the respondents herein to conduct 2nd round of counselling as per the notification for admission dated 12.03.2020 called for by the 2nd respondent within an appropriate time.

For Petitioner : Mr.R.Nalliyappan

For Respondents :Mr. Akil Akbar Ali
Government Advocate [R1]
Mr.Vijaymehanath Standing Counsel [R2]

O R D E R

This writ petition has been filed challenging the notification issued by the 2nd respondent dated 13.07.2020 and for a consequential direction to the respondents to conduct the 2nd round of counselling as per the notification dated 12.03.2020.

2. When the matter came up for admission, this Court passed the following order on 16.07.2020 and the same is extracted here under:

"In the meantime, Mr. Akil Akbar Ali, the learned Government Advocate appearing on behalf of first respondent and Mr. Abdul Saleem, appearing on behalf of second respondent are directed to take instructions and report before this Court as to whether the impugned notification dated 13.07.2020 can take away or modify a right which has already been conferred on the candidates by the prospectus/notification for admission dated 12.03.2020. It is more so having regard to Clause 24(c) (i) and 24(c) (iii) and also Clause 25 and 26 of the notification.

3. Pursuant to the orders passed by this Court on 16.07.2020, the learned counsel appearing on behalf of the second respondent on instruction submitted that the rights conferred on the students by the prospectus/notification will be kept intact and the impugned notification dated 13.07.2020, will apply only to those students who leave the course after they are selected. Insofar as the petitioner is concerned, the petitioner is not intending to leave the course and the petitioner only wants to participate in the second round of counselling and the petitioner does not want this to be construed as leaving the course since the petitioner has already got a seat in Madras Medical College, after the first counselling. Therefore, merely because the petitioner participates in the second counselling, the impugned notification will not be put against the petitioner. In view of the specific stand taken by the respondents, no further clarification is required in the present writ petition and recording the submissions of the learned counsel appearing on behalf of the second respondent, this Writ Petition is disposed of. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Director of Medical Education,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-10.

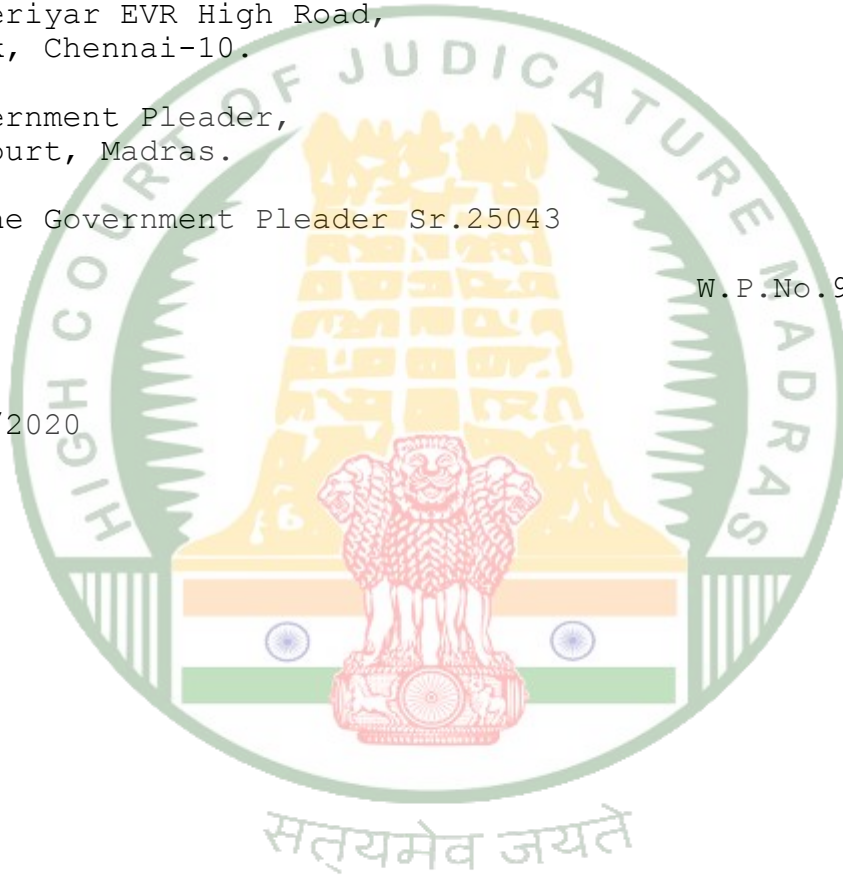
2.Secretary/Additional Director of Medical Education,
Selection Committee,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-10.

3.The Government Pleader,
High Court, Madras.

+1cc to the Government Pleader Sr.25043

W.P.No.9458 of 2020

bp[co]
srg 27/07/2020



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