

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twenty Fifth day of September Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE N. ANAND VENKATESH

WMP NOS.13588 OF 2020 IN WP NO.11136 OF 2020
AND WMP NOS.13609 OF 2020 IN WP NO.11154 OF 2020

1 DR.K.VANDANA [PETITIONERS IN WMP.13588/2020
ROLL NO. 521426084, IN WP NO.11136 OF 2020]
S/O. K.VISHNU PRASAD, NO.12, MANOHAR
AVENUE, OFF CASA MAJOR ROAD, EGMORE,
CHENNAI - 600 008

2 DR. R.MUTHULAXMEE ROLL. 521426025,
S/O. PK.P RAJESHWARAN, NO.35/24,
VASANTHA NIVAS, S-1, 53RD STREET,
ASHOK NAGAR, CHENNAI - 600083

3 DR. MAKARLA SHASHANK ROLL NO. 521426040,
S/O. DR. M.V.S PRKASH,
W-596, PARK ROAD, APSARA MANOR, ANNA NAGAR WEST
EXTN.,CHENNAI - 600 101

4 DR.L.LAKSHMI ROLL NO. 521426037,
S/O. C.T.LAKSHMANAN, OLD NO. 45/2,
NEW NO. 8/2, MUNUSAMY STREET, VENKATESH NAGAR,
VIRUNGAMBAKKAM, CHENNAI - 600092

5 DR. VAIBHAVI GOPAL DESIKAN
ROLL NO. 521426083, S/O. R.GOPAL DESIKAN,
FLAT NO. 1B/2B, BLOCK NO. 7, CEEBROS PARK
APRTMENTS, 2A, DR.RADHAKRISHNAN SALAI,
VALASARAVAKKAM, CHENNAI -600 087.

6 DR. HARINI ROLL NO. 521426027
S/O. RAVIRAMAN, NO.2, PEETHAMBARAM STREET,
GANAPATHYPURAM, RADHA NAGAR, CHROMPET,
CHENNAI - 600044

7 DR. R.BHAVANI ROLL NO. 521426015,
S/O. RAMAKRISHNAN, NO. 10/22, 54TH
STREET, 10TH SECTORE, KK NAGAR,
CHENNAI - 600 078

8 DR. N.ANCY NISHA ROL NO. 521426007,
S/O. M.G.PAUL NESARAJAN,
NO. 43/20, RAJESWARI STREET, METHA NAGAR,
CHENNAI - 600 029

9 DR. R.SARANYA ROLL NO. 521426064,
S/O. N.RAVI, NO. 852LIG, 18TH CROSS
STREET, MOGAPAIR EAST, CHENNAI - 600037

10 DR.G.K. MADHURYA ARITHRA ROLL NO. 521426030,
S/O. DR. G.KUMAR, NO.3,
PERNAMBET ROAD, THUTHIPET, AMBUR,
TIRUPATTUR - 635 811

11 DR.ISSAC LIVIAN RLL NO.521426030,
S/O. M.KARIKALAN, B-2, EDI DISPENSARY
QUATERS, KILPAUK GARDERN ROAD, KILPAUK,
CHENNAI - 600 010

12 DR.C.DHAVASUDHA ROLL NO. 521426018,
S/O. R.CHINNADURAI, NO. 4A, 2ND
STREET, NLC OFFICERS NAGAR, VADALUR - 607 303

13 DR.P.NIVETHITHA ROLL NO. 521426052,
S/O. K. PALANISAMY, NO. 2, MEENAKSHI
NAGAR, KOODAL NAGAR EXTN.,
PUDHUKOTTAI - 622 003

14 DR.M.SUJITHA ROLL NO. 521426077,
M.MONYVARNAN, NO. H-7, 2ND FLOOR,
PASUMAI APPARTMENTS, REDDIPALAYAM ROAD,
MOGAPPAIR WEST, CHENNAI - 600 037

15 DR.D.REVATHI ROLL NO. 521426063,
S/O. J.DHANASEKARAN, OLD NO. 15,
THIRUVALLUVAR PURAM, 2ND STREET, CHOOLAIMEDU,
CHENNAI - 600 094

16 DR.R.PRATHIPA RAMAN ROLL NO. 521426058,
S/O. G.RAGHURAMAN, NO.6, 1ST STREET, SUBASH
NAGAR, PUTHAGARAM, KOLATHUR, CHENNAI - 600 099

17 DR.S.SUBHASHINI ROLL NO. 521426074,
D/O. SUNDARARAJAN, BLOCK NO. 65, C-
301, LANDMARK MAHALAKSHMI, 11TH AVENUE,
ASHOK NAGAR, CHENNAI - 600083

18 DR. NISHATH AFREEN ROLL NO. 521426051,
S/O. MOHAMMED MUNAWAR, NO.14, KUMARAN STREET,
THANGAM NAGAR, GUDIYATTAM, VELLOE - 632 602

19 DR. K . SOWMYA ROLL NO. 521426071,
D/O. KANTHIMATHINATHAN, NO.5/16, TNGO
COLONY, 3RD STREET, NANGANALLUR,
CHENNAI - 600061.

1 DR.VANISHREE SANKAR
ROLL NO.521426085,
S/O. D.R.SANKAR RAM, ARADHANA,
MUKKOLA KARAKULAM, PO,
TRIVANDRUM - 695564,
KERALA.

[PETITIONERS IN WMP.13609/2020
IN WP.NO.11154 OF 2020]

2 DR. ARCHANA V.S ROLL NO. 521426011,
S/O. C.VIJAYAN PILLAI, ANANDA VILASAM,
NADAKKAL, KALLUVATHUKKAL, P.O.,
KOLLAM - 691578, KERALA.

VS

1 UNION OF INDIA [RESPONDENTS IN WMP.13588/2020
REP. BY ITS PRINCIPAL SECRETARY, IN WP.NO.11136 OF 2020]
MINISTRY OF
HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN,
NEW DELHI - 110001

2 EMPLOYEE STATE INSURANCE CORPORATION (ESIC),
REP. BY ITS ASSISTANT
DIRECTOR- MEDICAL EDUCATION (ME),
HEADQUARTERS OFFICE, PANCHDEEP BHAVAN, CIG
TOAD, NEW DELHI - 110002

3 ESIC MEDICAL COLLEGE AND PGI
MSR, CHENNAI, REP. BY ITS DEAN, ASHOK PILLAR,
K.K.NAGAR, CHENNAI - 600078

4 THE MEDICAL COUNSEL OF INDIA
REP. BY ITS SECRETARY, POCKET NO. 15,
SECTOR 8, DWARKA, PHASE 1, NEW DELHI - 110077

5 TAMIL NADU MEDICAL COUNCIL
REP. BY ITS REGISTRAR,
NO.914, POONAMALLEE
HIGH ROAD, ARUMBAKKAM, CHENNAI - 106

1 UNION OF INDIA [RESPONDENTS IN WMP.13609/2020
REP. BY ITS PRINCIPAL SECRETARY, IN WP.NO.11154 OF 2020]
MINISTRY OF
HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN,
NEW DELHI - 110001

2 EMPLOYEE STATE INSURANCE CORPORATION (ESIC),
REP. BY ITS ASSISTANT
DIRECTOR- MEDICAL EDUCATION (ME),
HEADQUARTERS OFFICE, PANCHDEEP BHAVAN, CIG
TOAD, NEW DELHI - 110002

3 ESIC MEDICAL COLLEGE AND PGI
MSR, CHENNAI, REP. BY ITS DEAN, ASHOK PILLAR,
K.K.NAGAR, CHENNAI - 600078

4 THE MEDICAL COUNCIL OF INDIA
REP. BY ITS SECREATARY, POCKET NO. 15,
SECTOR 8, DWARKA, PHASE 1, NEW DELHI - 110077

5 TAMIL NADU MEDICAL COUNCIL
REP. BY ITS REGISTRAR, NO.914, POONAMALLEE
HIGH ROAD, ARUMBAKKAM, CHENNAI - 106

6 MEDICAL COUNSELLING COMMITTEE,
REP BY ITS ASSISTANT DIRECTOR GENERAL
(MEDICAL EDUCATION),
DIRECTORATE GENERAL OF
HEALTH SERVICES, MINISTRY OF HEALTH AND
FAMILY WELFARE, GOVT OF INDIA,
ROOM NUMBER 352, A-WING,
NIRMAN BHAWAN, MAULANA AZAD ROAD,
NEW DELHI-110 011.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of interim direction directing the direct 3rd respondent to issue course-completions, Provisional, Transfer and CRR I Internship Certificates to the petitioners in respect of their MBBS Under-graduate degree course 2014-2015 to 2019-2020 together with the Petitioners' original 10th and 12th Standard certificates under the 3rd respondent's custody (in WMP.NO.13588 OF 2020) pending disposal of the above WP.NO.11136 OF 2020 AND;

(II) to grant an order of interim stay directing 3rd respondent to issue course-completions, Provisional, Transfer and CRR I Internship Certificates to the petitioners in respect of their MBBS Under-graduate degree course 2014-2015 to 2019-2020 together with the Petitioners original 10th and 12th Standard certificates under the 3rd respondents custody(in WMP.NO.13609 OF 2020) pending disposal of the above WP.NO.11154 OF 2020 respectively.

Order : These petitions coming on for orders upon perusing the petitions respective and the affidavits filed in support thereof and upon hearing the arguments of MR.C.P.SIVAMOHAN, Advocate for the petitioner in both the petitions and of Mr.K.Prabakar, Standing Counsel on behalf of the Respondent in both the petitions the court made the following order:-

This Court had passed an order on 21.08.2020, wherein an interim direction was given to the 3rd respondent to take an appropriate undertaking from the petitioners while handing over the certificates and the petitioners were also directed to return back the certificates to the 3rd respondent after registering their names before the Tamil Nadu Medical Council.

2. The grievance of the petitioners is that till date, the certificates have not been handed over by the 3rd respondent and the date for registration before the Tamil Nadu Medical Council is coming to an end by next week.

3. Mr.K.Prabakar, learned Standing Counsel appearing on behalf of ESI Corporation submitted that the interim direction issued by this Court will be complied with during the course of next week.

4. The undertaking given by the learned counsel appearing on behalf of the ESI Corporation is recorded.

-sd/-

25/09/2020

/ TRUE COPY /

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

TO

1 THE PRINCIPAL SECRETARY,
UNION OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE,
NIRMAN BHAVAN,
NEW DELHI - 110001

2 THE ASSISTANT
DIRECTOR- MEDICAL EDUCATION (ME),
EMPLOYEE STATE INSURANCE CORPORATION (ESIC),
HEADQUARTERS OFFICE, PANCHDEEP BHAVAN, CIG
TOAD, NEW DELHI - 110002

3 ESIC MEDICAL COLLEGE AND PGI
MSR, CHENNAI, REP. BY ITS DEAN, ASHOK PILLAR,
K.K.NAGAR, CHENNAI - 600078

4 THE SECREATARY,
MEDICAL COUNSEL OF INDIA
POCKET NO. 15,
SECTOR 8, DWARKA, PHASE 1,
NEW DELHI - 110077

5 THE REGISTRAR,
TAMIL NADU MEDICAL COUNCIL
NO.914, POONAMALLEE
HIGH ROAD, ARUMBAKKAM,
CHENNAI - 106

6 THE ASSISTANT DIRECTOR GENERAL
(MEDICAL EDUCATION),
MEDICAL COUNSELLING COMMITTEE,
DIRECTORATE GENERAL OF
HEALTH SERVICES, MINISTRY OF HEALTH AND
FAMILY WELFARE, GOVT OF INDIA,
ROOM NUMBER 352, A-WING,
NIRMAN BHAWAN, MAULANA AZAD ROAD,
NEW DELHI-110 011.

C.C. to MR/C.P.SIVAMOCHAN Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in

WMP NOS.13588 OF 2020 IN WP NO.11136 OF 2020
AND WMP NOS.13609 OF 2020 IN WP NO.11154 OF 2020

Date :25/09/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (01/10/2020)

सत्यमेव जयते

WEB COPY