

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.15806 of 2020
and
WMP No.19646 of 2020

Kamatchi.R.

...Petitioner

Vs.

- 1 Union of India
rep. by Secretary to Government
Ministry of Health and Family Welfare
New Delhi.
- 2 The State of Tamil Nadu
rep. by Secretary to Government
Health and Family Welfare Department
Fort St. George, Chennai-09.
- 3 The Secretary
Selection Committee
Office of the Directorate of Medical Education
162 EVR Periyar Salai,
Kilpauk, Chennai.
- 4 The Secretary
The National Medical Commission
Medical Council of India
Dwaraka, New Delhi.
- 5 The University Grants Commission
rep by its Chairman
Bahadur Shah Zafar Marg,
New Delhi.
- 6 The Tamil Nadu Dr.MGR Medical University
rep by its Vice Chancellor
69, Anna Salai, Little Mount
Guindy, Chennai.
- 7 The Dean
SRM Medical College
Potheri, SRM Nagar
KattanKulathur.

- 8 The Dean
Chettinad Medical College
Rajiv Gandhi Salai
Kelambakkam
Kanchipuram.
- 9 The Dean
Sri Ramachandra Medical University
No.1, Ramachandra Nagar,
Chennai.
- 10 The Dean
Sree Balaji Medical College and Hospital
Chrompet, Chennai.
- 11 The Dean
Sri Sathya Sai Medical College
Thiruporur, Guduvancherry
Chengalpet Taluk, Nellikuppam
Kanchipuram District.
- 12 The Dean
Saveetha Medical College
No.162, Poonamallee High Road
Velappanchavadi, Chennai.
- 13 The Dean
Karpagam Medical College Hospital
Madukkarai Road
Sundarapuram, Coimbatore.
- 14 The Dean
Meenakshi Medical College Hospital and Research Institute
Karrapatti Post, Kanchipuram. ...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 3rd and 4th respondents to conduct UG medical college counselling for pursuant to the notification dated 23.10.2020 schedule for online counselling (Allotment Process) for NEET 15% AIQ/ DEEMED/ CENTRAL UNIVERSITIES/ AIIMS and JIPMER/ ESIC and AFMC (MBBS/BDS) SEATS- 2020 after completion of the State Government Counselling by State of Tamil Nadu.

For Petitioner : M/s.S.Marshall

For Respondent-1 : Mr.Srinivasa Murthi
Additional Advocate General

For Respondent-2 : Mr.E.Manoharan
Special Government Pleader

For Respondent-3 : Mr.Abdul Saleem
Standing Counsel

For Respondent-4 : Mr.V.P.Raman
Standing Counsel

For Respondent-5 : Mr.Rabu Manohar
Standing Counsel

For Respondent-6 : Mr.Ravi Chander
Standing Counsel
(Through VC)

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the third and fourth respondents to conduct the Under Graduate Medical College Counselling pursuant to the notification dated 23.10.2020 only after the completion of the State Government Counselling by State of Tamil Nadu.

2. The learned counsel for the petitioner submitted that the petitioner has no objection in the counselling being conducted and the All India quota seats being filled up. The learned counsel submitted that the only apprehension raised by the petitioner is that in the guise of filling the All India quota, the seats in the Deemed University are also filled up and ultimately it ends up in candidates being asked to pay an exorbitant fees and ultimately, the candidates loose their chance to participate in the further counselling.

3. The learned Additional Advocate General appearing on behalf of the first respondent submitted that the scheme for conducting the counselling has already been fixed by the Hon'ble Supreme Court in Asis Ranjan ..vs.. Union of India reported in (2016) 11 SCC 225. The learned counsel submitted that the counselling can take place only under this scheme and therefore, the apprehension raised by the petitioner is unfounded. The submission of the learned Additional Advocate General was reiterated by the learned counsel appearing on behalf of the respondents 2 to 4.

4. In view of the specific stand taken by the respondents 1 to 3 and also in view of the fact that the Hon'ble Supreme Court has already fixed the scheme to conduct the counselling, this Court cannot issue any separate directions and this Writ Petition is disposed of with a direction to the respondents 1 to 3 to proceed further with the counselling strictly in accordance with the directions issued by the Hon'ble Supreme Court in Asis Ranjan case. No

costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government
Union of India
Ministry of Health and Family Welfare
New Delhi.
- 2.The Secretary to Government
State of Tamil Nadu
Health and Family Welfare Department
Fort St. George, Chennai-09.
- 3.The Secretary
Selection Committee
Office of the Directorate of Medical Education
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Kilpauk, Chennai.
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The National Medical Commission
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Madukkarai Road
Sundarapuram, Coimbatore.

14.The Dean
Meenakshi Medical College Hospital
and Research Institute
Karrapatti Post, Kanchipuram-631 552.

+1cc to Mr.V.P.Raman, Advocate SR.36041

+1cc to Mr.K.Srinivasamurthy, Advocate SR.35842

सत्यमेव जयते

W.P.No.15806 of 2020
and

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SVI (CO)
CB(15/12/2020)

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