

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 26.09.2020

Delivered on : 07.10.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.Nos.31921 of 2017, 1155, 1284, 1287, 3259, 4016, 6512, 6518,
 6516 6517, 6513, 6514, 6515, 6519, 6532, 6533, 6521, 6522, 6534,
 6523, 6524, 6525, 6526, 6527, 6528, 6530, 6531, 6520, 6529,
 6623, 6625, 6626, 6624/2018, 15558 to 15568/2018, 21255/2019,
 8473, 9106, 9115, 9336,
 & 9583/2020

and

WMP Nos.3811 & 5161/2018, 35070/2017, 4790, 1435, 1607, 1608,
 4791, 1618, 1619, 2982, 1617, 4792/2018, 4003, 4958, 4959, 8065
 to 8078/2018, 8079 to 8083/2018, 8111, 8112 8119 to 8122/2018,
 8123 to 8125, 8084 to 8118/2018, 8216 to 8223/2018, 18460 to
 18481/2018 & 20459, 28545/2019 10212, 10213, 11099, 11112 to
 11114/2020, 11418 to 11420/2020, 11698/2020, 10610, 10611/2020

- 1 DR.A.ASWIN
- 2 DR.L.SATHISH KUMAR
- 3 DR.KARTHIKEYAN.D
- 4 DR.RICHARD BRUNO MICHAEL
- 5 DR.SRIDURGA.E
- 6 DR.MONISHA.R
- 7 DR.MURUGADAS.S
- 8 DR.MALAR MANNAN.D
- 9 DR.RUSHDINA MITHRAN
- 10 DR.M.BAGHYALAKSHMI
- 11 DR. INDHUMATHI.G
- 12 DR. BABA C. V. BRINDHA
- 13 DR. MUNI SANKAR REDDY
- 14 DR.M.MADHAVAN
- 15 DR.BERENICE STELLA B
- 16 DR.A.RAMESH BALA
- 17 DR.SUMITHA N
- 18 DR.R.SARANYA
- 19 DR. HARIPRANAV S
- 20 DR.S.SIVARANJINI
- 21 DR.DEVANATHA SARMA
- 22 DR.R.MANO
- 23 DR.MONICA

24 DR.SUMIT SINGH KAUSHAL
 25 DR.P.NEDUNCHEZHIAN
 26 DR.MAJIE XAVEREENA AARTHI.J.
 27 DR.K.THAMBIPRABAGARANE
 28 P.SIVA SANKAR

... Petitioners in WP No.31921 of 2017

1 SRI VENKATESWARA MEDICAL COLLEGE HOSPITAL
 & RESEARCH CENTRE,
 REP. BY ITS CHAIRMAN, B.RAMACHANDHIRAN,
 13-A PONDY VILLUPURAM MAIN ROAD,
 ARIYUR PUDUCHERRY 605 102.

... Petitioner in WP No.1155 of 2018

1 PONDICHERRY INSTITUTE OF MEDICAL SCIENCES,
 REP. BY ITS CHAIRMAN, DR.K.JACOB,
 KALAPET, PUDUCHERRY-605 014.

... Petitioner in WP No.1284 of 2018

1 DR.S.K.JAMUNA
 2 DR.T.KISHANTH
 3 DR.J.JAMUNA
 4 DR.R.PRATHEES CHANDRAN
 5 DR.M.SUJITH
 6 DR.G.MANUJKUMAR
 7 DR.J.VIKASINI
 8 DR.NITHINPOLLO JOETHECKUM PARAMPIL

9 DR.T.PREMSAI
 10 DR.M.ARUN SUNDARAM
 11 DR.MOHAMMED FAZIL ALI
 12 DR.N.NIRANJAN KUMAR
 13 DR.S.BHUVANESWARY
 14 DR.THOLKAPPIA CHEZHIAN

... Petitioners in WP No.1287 of 2018

1 SRI MANAKULA VINAYAGAR MEDICAL
 COLLEGE & HOSPITAL,
 REP BY ITS DEAN DR.KARNE,
 R.N KALITHEERTHALKUPPAM, MADAGADIPET,
 PUDUCHERRY 605 107.

... Petitioner in WP No.3259 of 2018

DR. S.R. KEERTHANA ... Petitioner in WP No.4016 of 2018

DR.UIDESH YADAV ... Petitioner in WP No.6512 of 2018

DR.SUGANYA S. ... Petitioner in WP No.6518 of 2018

DR. VENKATESH POLUDASU ... Petitioner in WP No.6516 of 2018

DR.CHANDAN PRAKASH ... Petitioner in WP No.6517 of 2018

DR.MADHU P ... Petitioner in WP No.6513 of 2018

DR. NISHAD AMRIN H ... Petitioner in WP No.6514 of 2018

DR. RANJITHA V ...Petitioner in WP No.6515 of 2018

DR.JINU VADAKKANETHU IYPE ... Petitioner in WP No.6519 of 2018

DR.PREMKUMAR.S ... Petitioner in WP No.6532 of 2018

DR.SIVANI.G ... Petitioner in WP No.6533 of 2018

DR.ANANTHA PRIYA N. ... Petitioner in WP No.6521 of 2018

DR. MUNEEER KUTTIPALAKKAL ... Petitioner in WP No.6522 of 2018

DR.SASHI KUMAR ... Petitioner in WP No.6534 of 2018

DR.GUTTIKONDA BHAMINI CHOWDARY ... Petitioner in WP No.6523 of 2018

DR. SHARANYA SHANKAR ... Petitioner in WP No.6524 of 2018

DR.SHANMUGA PRIYAN ... Petitioner in WP No.6525 of 2018

DR.CHARU NAGARJUN S.R. ... Petitioner in WP No.6526 of 2018

DR.FAWAZ MOHAMMED MANU ... Petitioner in WP No.6527 of 2018

DR.RIJITH SALIM ... Petitioner in WP No.6528 of 2018

DR.RANJITHKUMAR.T ... Petitioner in WP No.6530 of 2018

DR.TAMIZHARASAN.M ... Petitioner in WP No.6531 of 2018

DR.VINITH KUMAR K. ... Petitioner in WP No.6520 of 2018

DR.NILAVAZHAGAN A ... Petitioner in WP No.6529 of 2018

DR.A. R. SATTHISHH EGAPPAN ... Petitioner in WP No.6623 of 2018

DR.MARIA ALEXANDER ... Petitioner in WP No.6625 of 2018

DR. GOPINATH SUBBAIAN ... Petitioner in WP No.6626 of 2018

DR.BRITTO SABU ... Petitioner in WP No.6624 of 2018

DR.C. VIDHYA ... Petitioner in WP No.15558 of 2018

DR. SAMPATH KUMAR APPUCHAMI ... Petitioner in WP No.15559 of 2018

DR.R. SANTHIYA ... Petitioner in WP No.15560 of 2018

DR.VAISHNAVI DHANASEKARAN ... Petitioner in WP No.15561 of 2018

DR. DHARENDRA PRASAD S.P. ... Petitioner in WP No.15562 of 2018

DR.REKHA SANKAR ... Petitioner in WP No.15563 of 2018

DR.RINO SRIRAM ... Petitioner in WP No.15564 of 2018

DR.G.M.PRIYAVADHANA ... Petitioner in WP No.15565 of 2018

DR.RAKHI SANKAR ... Petitioner in WP No.15566 of 2018

DR. ABI SINDHUJA D ... Petitioner in WP No.15567 of 2018

DR.S.PREETI ... Petitioner in WP No.15568 of 2018

DR.DHANUSH C M L ... Petitioner in WP No.21255 of 2019

SRI MANAKULA VINAYAGAR MEDICAL
COLLEGE AND HOSPITAL,
REP. BY ITS DEAN, DR. KAGNE.R.N

... Petitioner in WP No.8473 of 2020

PRIYA ACKA THOMAS ... Petitioner in WP No.9106 of 2020

1 DR.S.K.JAMUNA
2 DR.T.KISHANTH
3 DR. J. JAMUNA

4 DR. R. PRATHEESH CHANDRAN
 5 DR. M.SUJITH
 6 DR. G. MANUJ KUMAR
 7 DR. J.VIKASINI
 8 DR.NITHIN POLLO JOE THECKKUM PARAMPIL
 9 DR.T. PREMSAI
 10 DR. M. ARUN SUNDARAM
 11 DR. MOHAMMED FAZIL ALI
 12 DR. N.NIRANJAN KUMAR
 13 DR.S.BHUVANESWARY
 14 DR. THOLKAPPIA CHEZHIAN

... Petitioners in WP No.9115 of 2020

1 DR.GOPINATH SUBBAIAN
 2 DR. BRITTO SABU
 3 DR. MARIA ALEXANDER
 4 DR. A.R. SATTHISHH EGAPPAN
 5 DR. V. SAHANA SHRUTHI

... Petitioners in WP No.9336 of 2020

PRIYA ACKA THOMAS ... Petitioner in WP No.9583 of 2020

-Vs-

1. THE SECRETARY TO GOVERNMENT OF PUDUCHERRY,
 HEALTH AND FAMILY WELARE
 SERVICE DEPARTMENT, SECRETARIAT,
 BEACH ROAD, WHITE TOWN,
 PUDUCHERRY 605 001.
2. THE DIRECTOR,
 HEALTH AND FAMILY WELARE SERVICES (DHFWS)
 VICTOR SAMUEL STREET,
 PUDUCHERRY 605 001
3. THE CONVENOR,
 CENTRALISED ADMISSION COMMITTEE (CENTAC),
 PEC CAMPUS ECR ROAD, PILLAICHAVADI,
 PUDUCHERRY 605 014.
- 4 THE SECRETARY TO LT. GOVERNOR
 OF PUDUCHERRY, RAJ NIVAS, WHITE TOWN,
 PUDUCHERRY 605 001.

- 5 THE JOINT SECRETARY,
MEDICAL COUNCIL OF INDIA, POCKET - 14,
SECTOR - 8 DWARKA, NEW DELHI 110 077.
- 6 THE SECRETARY,
MINISTRY OF HUMAN RESOURCES DEVELOPMENT,
SHASTRI BHAWAN, NEW DELHI 110 001.
- 7 THE SECRETARY,
UNIVERSITY GRANT COMMISSION, BAHADUR SHAH,
ZAFAR MARG, NEW DELHI 110 002.
- 8 THE SECRETARY TO GOVT. OF INDIA,
MINISTRY OF HEALTH & FAMILY WELFARE ,
7-B MOTI LAL NEHRU MARG, NEW DELHI 110 011.
- 9 ARUPADAI VEEDU MEDICAL COLLEGE,
CUDDALORE MAIN ROAD. KIRUMANPAKKAM.
BAHOUR COMMUNE PANCHAYAT,
PUDUCHERRY 607 402.
- 6-
- 10 VINAYAGA MISSION MEDICAL,
COLLEGE KEEZHA KASAKUDI MEDU, KOTTUCHETTY,
KARAIKKAL 609 609.
- 11 MAHATMA GANDHI MEDICAL
COLLEGE & RESEARCH CENTRE,
CUDDALORE MAIN ROAD, PILLAYARKUPPAM,
PUDUCHERRY 607 402.
- 12 SRI LAKSHMI NARAYANA
INSTITUTE OF MEDICAL SCIENCE,
OUSUDU AGARAM, VILLAGE VILLIANUR COMMUNE,
PUDUCHERRY 605 502.
- 13 SRI MANAKULA VINAYAGAR
MEDICAL COLLEGE AND HOSPITAL,
MADAGADIPET,
KALITHEERTHALKUPPAM, PUDUCHERRY 605 017.
- 14 SRI VENKATESWARA MEDICAL
COLLEGE AND RESEARCH CENTRE,
PONDY VILLUPURAM MAIN ROAD, ARIYUR,
PUDUCHERRY 605 102.

15 PONDICHERRY INSTITUTE OF
MEDICAL SCIENCE & RESEARCH
NO.20, GANAPATHICHETTICKUPPAM,
KALAPET, ARIYUR,
PUDUCHERRY 605 102.

16 THE DIRECTOR GENERAL OF HEALTH
SERVICES MINISTRY OF HEALTH AND FAMILY
WELFARE DEPARTMENT NEW DELHI.

(R16-SUO MOTU IMPLD.AS PER ORDER
DT.28.04.18 BY SVNJ IN WP.31921/17)

... Respondents in WP No.31921 of 2017

1 MEDICAL COUNCIL OF INDIA,
REP. BY ITS SECRETARY, POCKET-14, SECTOR-8,
DWARKA PHASE -1, NEW DELHI 110 077.

2 THE UNION OF INDIA,
REP BY ITS SECRETARY, MINISTRY OF HEALTH AND
FAMILY WELFARE, (DEPT. OF HEALTH-DE SECTION),
MAULANA AZAD ROAD, NEW DELHI 110 011.

3 THE UNION TERRITORY PUDUCHERRY,
REP BY ITS SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE SERVICES DEPT.,
BEACH ROAD, WHITE TOWN, PUDUCHERRY 6054 001.

4 THE DIRECTOR,
HEALTH & FAMILY WELFARE SERVICES (DHFWS),
VICTOR SAMUEL STREET, PUDUCHERRY 605 001.

5 THE CONVENOR,
CENTRALISED ADMISSION COMMITTEE (CENTAC)
PEC CAMPUS, ECR ROAD, PILLAICHAVADI
PUDUCHERRY 605 014.

6 THE PONDICHERRY UNIVERSITY,
REP BY ITS REGISTRAR, ADMINISTRATIVE
BUILDING, R.V. NAGAR, KALAPET,
PUDUCHERRY 605 014.

7 DR.SUMIT SINGH KAUSHAL
S/O.MANJIT SINGH KAUSHAL NO.1, RAJEEV
NAGAR KOTRA ROAD, RAIGARH DISTRICT
CHANDIGARH-496 001.

(R7-IMPLEADED AS PER ORDER DT.06.02.2018 BY RMDJ IN
WMP.2980/2018 IN WP.1155/2018)

... Respondents in WP No.1155 of 2018

- 1 THE GOVERNMENT OF INDIA.
REP. BY ITS UNDER SECRETARY,
MINISTRY OF HEALTH AND FAMILY WELFARE,
NIRMAN BHAVAN,
NEW DELHI-110 001.
- 2 THE MEDICAL COUNCIL OF INDIA,
REP. BY ITS JOINT SECRETARY, POCKET-14,
SECTOR-8, DWARKA PHASE-1,
NEW DELHI-110 077.
- 3 THE GOVERNMENT OF PUDUCHERRY,
REP. BY THE UNDER SECRETARY TO
GOVERNMENT (HEALTH), CHIEF SECRETARIAT,
PUDUCHERRY.
- 4 CENTRAL ADMINISTRATIVE COMMITTEE (CENTAC),
REP. BY CHAIRMAN/CONVENOR,
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PUDUCHERRY-605 014.
- 5 DR.R.MANO, S/O.L.RATHINAVEL,
(R5-IMPLEADED AS PER ORDER DT.06.02.2018 BY RMDJ IN
WMP.2981/2018 IN WP.1284/2018
... Respondents in WP No.1284 of 2018
- 1 THE GOVERNMENT OF INDIA,
REP. BY ITS UNDER SECRETARY, MINISTRY OF
HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN,
NEW DELHI-110 001.
- 2 THE MEDICAL COUNCIL OF INDIA,
REP. BY ITS JOINT SECRETARY, POCKET-14
SECTPR-8, DWARKA PHASE-1, NEW DELHI-110 077.
- 3 THE GOVERNMENT OF PUDUCHERRY,
REP. BY THE UNDER SECRETARY TO GOVERNMENT
(HEALTH), CHIEF SECRETARIAT, PUDUCHERRY.
- 4 CENTRAL ADMINISTRATIVE COMMITTEE (CENTAC),
REP. BY CHAIRMAN/ CONVENOR,
PONDICHERRY ENGINEERING COLLEGE
CAMPUS, PUDUCHERRY-605 014.
- 5 PONDICHERRY INSTITUTE OF MEDICAL SCIENCES,
REP. BY ITS REGISTRAR,
KALAPET, PUDUCHERRY-605 014.

6 DR.M.MUNISANKAR REDDY

(R6 IS IMPEADED AS PER THE ORDER MADE IN WMP No.9535
of 2019 DT.19/08/2019)

7 DR.R.MANO

(R7 IMPEADED AS PER ORDER DT. 21/11/2019 MADE IN WMP.2982/2018)

... Respondents in WP No.1287 of 2018

- 1 THE UNION OF INDIA,
REP. BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF HEALTH & FAMILY WELFARE
SERVICES, NEW DELHI 110 011.
- 2 THE SECRETARY,
MEDICAL COUNCIL OF INDIA, POCKER -14,
SECTOR- 8, DWARKA PHASE 1, NEW DELHI 110 077.
- 3 THE CHIEF SECRETARY,
GOVERNMENT OF PONDICHERRY,
CHIEF SECRETARIAT,
PONDICHERRY.
- 4 THE SECRETARY TO GOVERNMENT (HEALTH) ,
CHIEF SECRETARIAT (HEALTH) ,
GOVERNMENT OF PONDICHERRY,
PONDICHERRY.
- 5 THE UNDER SECRETARY TO GOVERNMENT (HEALTH) ,
CHIEF SECRETARIAT (HEALTH) ,
GOVERNMENT OF PONDICHERRY,
PONDICHERRY.
- 6 THE DIRECTOR,
DIRECTORATE OF HEALTH & FAMILY WELFARE
SERVICES (DHFS), VICTOR SAMUVEL STREET,
PUDUCHERRY - 605 001.
- 7 THE CONVENTOR,
CENTRALIZED ADMISSION COMMITTEE (CENTAC)
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PILLAICHAVADI, PUDUCHERRY 605 014.

- 8 DR.A.ASWIN
(R8-IMPLEADED AS PER ORDER DT.14.03.2018 IN
WMP.4388/2018)
...Respondents in WP No.3259 of 2018
- 1 THE UNION OF INDIA,
REP 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,
REP BY ITS JOINT SECRETARY/ASSISTANT
SECRETARY, POCKET-14, SECTOR-8, DWARAKA,
PHASE-I, NEW DELHI-110077.
-10-
- 3 THE UNION TERRITORY OF PUDUCHERRY,
REP ITS UNDER SECRETARY TO GOVERNMENT (HEALTH),
CHIEF SECRETARIAT, PUDUCHERRY.
- 4 CENTRAL ADMISSIONS COMMITTEE (CENTAC),
REP BY ITS CHAIRMAN/ CONVENER,
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PUDUCHERRY- 605 014.
- 5 SRI VENKATESHWARA MEDICAL COLLEGE
HOSPITAL AND RESEARCH CENTRE,
REP BY ITS CHAIRMAN B.RAMACHANDRAN,
...Respondents in WP No.4016 of 2018
- 1 THE JOINT SECRETARY,
MEDICAL COUNCIL OF INDIA,
POCKET-14 SECTOR-8,
DWARKA, NEW DELHI-110077.
- 2 THE SECRETARY (HEALTH),
HEALTH AND FAMILY WELFARE SERVICES
DEPARTMENT, GOVERNMENT OF PUDUCHERRY,
SECRETARIAT, GOUBERT AVENUE,
PUDUCHERRY- 605001.
- 3 THE DIERCTOR,
DIRECTORATE OF HEALTH AND FAMILY WELFARE
SERVICES (DHFWS), VICTOR SAMUEL STREET,
PUDUCHERRY-605001.

- 4 THE CONVENOR,
CENTRALISED ADMISSION COMMITTEE (CENTAC),
PEC CAMPUS, ECR ROAD, PILLAICHAVADI,
PUDUCHERRY- 605014.

...1st to 4th Respondents in WP
No.6519, 6532, 6533, 6521, 6534, 6523 to
6531, 6522, 6520, 6529 of 2018

- 5 AARUPADAI VEEDU MEDICAL COLLEGE,
REP BY ITS DEAN, PONDY- CUDDALORE
MAIN ROAD, KIRUMAMPAKKAM,
PUDUCHERRY- 607 402.

...1st to 5th Respondents in WP No.6512,
6518, 6516, 6517, 6513, 6514, 6515, 21255 of
2019

- 5 VINAYAKA MISSION MEDICAL COLLEGE,
REP BY ITS DEAN KEEZHAKASAKUDIMEDU
KOTTUCHERRY PO KARAIKAL-609 609
PUDUCHERRY STATE

...5th Respondent in WP No.6519, 6532, 6533,
6521, 6522, 6534, 6523 to 6531, 6520, 6529/2018

- 1 THE UNION OF INDIA,
REP. 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,
REP. BY ITS JOINT SECRETARY / ASSISTANT
SECRETARY, POCKET 14, SECTOR 8,
DWARAKA PHASE I, NEW DELHI 110 077.

- 3 THE UNION TERRITORY OF
PUDUCHERRY REP. BY ITS UNDER SECRETARY TO
GOVERNMENT (HEALTH), CHIEF SECRETARIAT,
PUDUCHERRY.

- 4 DIRECTOR,
HEALTH AND FAMILY WELFARE SERVICES (DHFWS),
VICTOR SAMUEL STREET, PUDUCHERRY 605 001.

- 5 CENTRAL ADMISSIONS COMMITTEE, (CENTAC)
REP. BY ITS CHAIRMAN / CONVENER,
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PUDUCHERRY 605 014.
- 6 SRI VENKATESHWARA MEDICAL COLLEGE,
HOSPITAL AND RESEARCH CENTRE REP.
BY ITS CHAIRMAN B. RAMACHANDRAN,
NO. 13A, PONDY VILLUPURAM MAIN ROAD,
ARIYUR, PUDUCHERRY 605 102.
... Respondents in WP No.6623 to 6626 of 2018
- 1 THE JOINT SECRETARY,
MEDICAL COUNCIL OF INDIA, POCKET- 14,
SECTOR - 8, DWARKA,
NEW DELHI 110 077.
- 2 THE SECRETARY (HEALTH),
HEALTH AND FAMILY WELFARE SERVICES DEPT.,
GOVERNMENT OF PUDUCHERRY, SECRETARIAT,
GOUBERT AVENUE, PUDUCHERRY 605 001.
- 3 THE DIRECTOR,
DIRECTORATE OF HEALTH AND FAMILY WELFARE
SERVICES (DHFWS), VECTOR SAMUEL STREET,
PUDUCHERRY 605 001.
- 4 THE CONVENOR,
CENTRALISED ADMISSION COMMITTEE (CENTAC),
PEC CAMPUS ECR ROAD, PILLAICHAVADI,
PUDUCHERRY 605 014.
- 5 MAHATMA GANDHI MEDICAL COLLEGE &
RESEARCH INSTITUTE,
REP. BY ITS DEAN,
PONDY - CUDDALORE MAIN ROAD,
PILLAIYARKUPPAM, PUDUCHERRY 607 402.
... Respondents in WP Nos.15558 to 15568 of 2018
- 1 UNION OF INDIA,
REP. BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF HEALTH AND FAMILY WELFARE SERVICES,
NEW DELHI - 110 011.

- 2 THE SECRETARY,
MEDICAL COUNCIL OF INDIA,
POCKET-14, SECTOR-8, DWARKA PHASE-I,
NEW DELHI-110 077.
 - 3 THE CHIEF SECRETARY,
GOVERNMENT OF PONDICHERRY,
CHIEF SECRETARIAT,
PONDICHERRY.
 - 4 THE SECRETARY TO GOVERNMENT (HEALTH),
CHIEF SECRETARIAT (HEALTH).
GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY 605 001.
 - 5 THE UNDER SECRETARY TO GOVERNMENT (HEALTH),
CHIEF SECRETARIAT (HEALTH).
GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY 605 001.
 - 6 THE DIRECTOR,
DIRECTORATE OF HEALTH AND FAMILY
WELFARE SERVICES (DHFWS),
VICTOR SAMUEL STREET,
PUDUCHERRY - 605 001.
 - 7 THE CONVENOR,
CENTRALIZED ADMISSION COMMITTEE (CENTAC),
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PILLAICHAVADI, PUDUCHERRY 605 014.
 - 8 THE REGISTRAR (ACADEMIC)
PONDICHERRY UNIVERSITY,
R.V.NAGAR, KALAPET, PONDICHERRY.
 - 9 THE DEPUTY REGISTRAR (ACADEMIC),
PONDICHERRY UNIVERSITY,
R.V.NAGAR, KALAPET,
PONDICHERRY.
- ... Respondents in WP No.8473 of 2020
- 1 THE GOVERNMENT OF INDIA,
REP BY ITS JOINT SECRETARY, POCKET 14 ,
SECTOR- VIII DWARKA PHASE-I,
NEW DELHI- 110 077.

- 2 MEDICAL COUNCIL OF INDIA,
REP BY ITS SECRETARY, POCKET 14, SECTOR-VIII,
DWARAKA, PHASE- I, NEW DELHI-110 077.
- 3 THE GOVERNMENT OF PUDUCHERRY,
REP BY ITS UNDER SECRETARY TO GOVERNMENT
(HEALTH), CHIEF SECRETARIAT, PUDUCHERRY.
- 4 CENTRAL ADMINISTRATIVE COMMITTEE (CENTAC),
REP BY CHAIRMAN /CONVENOR,
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PUDUCHERRY-605 014.
- 5 PONDICHERRY UNIVERSITY,
REP BY ITS DEPUTY REGISTRAR (ACADEMIC),
R.V.NAGAR KALAPET PUDUCHERRY-605 014.
- 6 PONDICHERRY INSTITUTE OF MEDICAL SCIENCE,
REP BY ITS REGISTRAR, KALAPET,
PUDUCHERRY-605 014.
- 7 THE CONTROLLER OF EXAMINATIONS,
(I/C) PONDICHERRY UNIVERSITY,
R.V.NAGAR, KALAPET,
PUDUCHERRY-605 014.

... Respondents in WP No.9106 of 2020

- 1 THE GOVERNMENT OF INDIA,
REP. BY ITS UNDER SECRETARY MINISTRY OF
HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN,
NEW DELHI 110 001.
- 2 THE MEDICAL COUNCIL OF INDIA,
REP. BY ITS JOINT SECRETARY POCKET 14,
SECTOR 8, DWARKA PHASE I, NEW DELHI 110 077.
- 3 THE GOVERNMENT OF PUDUCHERRY
REP. BY THE UNDER SECRETARY TO GOVERNMENT
(HEALTH), CHIEF SECRETARIAT, PUDUCHERRY.
- 4 CENTRAL ADMISSIONS COMMITTEE (CENTAC),
REP. BY CHAIRMAN/ CONVENOR,
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PUDUCHERRY 605 014.

5 THE PONDICHERRY INSTITUTE OF MEDICAL SCIENCES,
 REPESENTED BY ITS REGISTRAR,
 KALAPET PUDUCHERRY 605 014.

6 THE PONDICHERRY UNIVERSITY,
 REP. BY ITS REGISTRAR,
 ADMINISTRATIVE BUILDING,
 R.V.NAGAR, KALAPET,
 PUDUCHERRY 605 014.

... Respondents in WP No.9115 of 2020

1 THE UNION OF INDIA,
 REPRESENTED BY ITS SECRETARY MINISTRY OF
 HELATH AND FAMILY WELFARE (DEPARTMENT OF
 HEALTH DE SECTION), MANULANA 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 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 in WP No.9336 of 2020

- 1 THE GOVERNMENT OF INDIA,
REP. BY ITS JOINT SECRETARY HEALTH DEPARTMENT,
POCKET 14 SECTOR- VIII DWARAKA PHASE -1
NEW DELHI 110 077.
- 2 MEDICAL COUNCIL OF INDIA,
REP. BY ITS SECRETARY POCKET 14 SECTOR - VIII,
DWARAKA PHASE -1, NEW DELHI 110 077.
- 3 THE GOVERNMENT OF PUDUCHERRY,
REP. BY UNDER SECRETARY TO GOVERNMENT
(HEALTH) CHIEF SECRETARIAT PUDUCHERRY.
- 4 CENTRAL ADMINISTRATIVE,
COMMITTEE (CENTAC) REP. BY CHAIRMAN/
CONVENOR PONDICHERRY ENGINEERING COLLEGE
CAMPUS PUDUCHERRY 605 014.
- 5 PONDICHERRY UNIVERSITY REP.
BY ITS DEPUTY REGISTRAR (ACADEMIC) R.V.
NAGAR KALAPET PUDUCHERRY 605 014.
- 6 PONDICHERRY INSTITUTE OF MED
ICAL SCIENCE REP. BY ITS REGISTRAR
KALAPET PUDUCHERRY 605 014.
- 7 THE CONTROLLER OF EXAMINATIO
NS (I/C) PONDICHERRY UNIVERSITY R.V.NAGAR
KALAPET PUDUCHERRY 605 014
- 8 COORDINATOR/ ACADEMICS
PONDICHERRY UNIVERSITY R.V.NAGAR
PUDUCHERRY 605 014.

... Respondents in WP No.9583 of 2020

Prayer in WP No.31921 of 2017: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of mandamus, directing the respondents to immediately discharge all the illegally admitted P.G.Medical students during the Academic year 2017-18 and allow the petitioners to join the P.G.Medical courses in the respondent colleges 9 to 15 during the next Academic year 2018-19 to the respective colleges and courses for which they were duly selected during the Academic year 2017-18 through NEET based Centralised counselling conducted by the 3rd respondent.

Prayer in WP No.1155 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorari, calling for the records of the 2nd respondent in its proceedings No.MCI-23(1)(MC)/2017/163871, dated 28.12.2017 and quash the same as invalid, illegal and unconstitutional.

Prayer in WP No.1284 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorari, calling for the records of the 2nd respondent in its order dated 24.7.2017 in Reference No.MCI-23(1) (MC)/2017/126239 and dated 21.12.2017 in Reference No.MCI-23(1) (MC)/2017/ 161644 and the records of the 3rd respondent in its consequential order dated 2.1.2018 in Reference 27209/H5/Health/2016-17/ PF-Vol-IV/369, quash the same.

Prayer in WP No.1287 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorari, Calling for the records of the 2nd respondent in its order dated 24.07.2017 in Reference No.MCI-23(1) (MC)/2017/126239 and dated 21.12.2017 in Reference No.MCI-23(1) (MC)/2017/ 161644 and the records of the 3rd respondent in its consequential order dated 02.01.2018 in Reference 27209/H5/Health/ 2016-17/ PF-Vol-IV/369, quash the same.

Prayer in WP No.3259 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorari and Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent vide No. order passed by the 2nd respondent vide No. MCI - 23 (1) (MC) / 2017 / 171352 dated 31.01.2018 and quash the same, and consequently direct the respondents 1 to 6 to approve the admission of those 10 students, who were discharged by the impugned order dated 31.01.2018, admitted in the PG Course in various specialty under the Management Quota for the academic year 2017-18, in the petitioner institution, enabling to peruse their course and appear for the exams in future.

Prayer in WP No.4016 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorari, call for the records of the 2nd respondent in its proceedings No. MCI-23(1)(MC)/2017/126202 dated 24.07.2017 as confirmed by No.MCI-23(1)(MC)/2017/163871 dated 28.12.2017 of the 2nd respondent and quash the same as invalid illegal and unconstitutional.

Prayer in WP No.6512 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 161788 dated 22.12.2107 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Aarupadai Veedu Medical College & Hospital, Puducherry in which the name of the Writ Petitioner is projected at Serial No.2 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Orthopedics at Aarupadai Veedu Medical College and Hospital, Puducherry and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in Orthopedics course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6518 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 161788 dated 22.12.2107 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Aarupadai Veedu Medical College & Hospital, Puducherry in which the name of the Writ Petitioner is projected at Serial No.7 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Dermatology, Venereology & Leprosy at Aarupadai Veedu Medical College and Hospital, Puducherry and consequently to direct the Respondents to permit the Writ petitioner to continue and complete P.G.Degree in Dermatology, Venereology & Leprosy course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6516 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the impugned proceedings under Letter No. MCI - 23 (I) (MC) / 2017 / 161788 dated 22.12.2017 issued by the first respondent Joint Secretary, Medical Council of India addressed to the Principal, Aarupadai Veedu Medical College & Hospital, Puducherry in which the name of the writ petitioner is projected as Serial No. 6 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing P.G. Degree in General Medicine at Aarupadi Veedu Medical College and Hospital, Puducherry and consequently to direct the respondents to permit the writ petitioner to continue and

complete P.G. Degree in General Medicine Course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6517 of 2018 : Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 161788 dated 22.12.2017 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Aarupadai Veedu Medical College & Hospital, Puducherry in which the name of the Writ Petitioner is projected at Serial No.12 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Diploma in Orthopedics at Aarupadai Veedu Medical College and Hospital, Puducherry and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G. Degree in Orthopedics Course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6513 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the impugned proceedings under Letter No. MCI - 23 (I) (MC) / 2017 / 161788 dated 22.12.2017 issued by the first respondent Joint Secretary, Medical Council of India addressed to the Principal, Aarupadai Veedu Medical College & Hospital, Puducherry in which the name of the writ petitioner is projected as Serial No. 13 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing P.G. Diploma in Orthopedics at Aarupadai Veedu Medical College and Hospital, Puducherry and consequently to direct the respondents to permit the writ petitioner to continue and complete P.G. Diploma in Orthopedics course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6514 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the impugned proceedings under Letter No. MCI - 23 (I) (MC) / 2017 / 161788 dated 22.12.2017 issued by the first respondent Joint Secretary, Medical Council of India addressed to the Principal, Aarupadai Veedu Medical College & Hospital, Puducherry in which the name of the writ petitioner is projected as Serial No. 3 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing

P.G. Degree in E. N. T at Aarupadai veedu Medical College and Hospital, Puducherry and consequently to direct the Respondents to permit the Writ Petitioner to continue and complete P.G.Degree in E.N.T. course in the fifth respondent Medical college including the cost of the writ petition.

Prayer in WP No.6515 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the impugned proceedings under Letter No. MCI - 23 (I) (MC) / 2017 / 161788 dated 22.12.2017 issued by the first respondent Joint Secretary, Medical Council of India addressed to the Principal, Aarupadai Veedu Medical College & Hospital, Puducherry in which the name of the writ petitioner is projected as Serial No. 4 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing P.G. Degree in E. N. T course at Aarupadi Veedu Medical College and Hospital, Puducherry and consequently P.G. Degree in E.N.T Course in the fifth respondent Medical college including the cost of the writ petition.

Prayer in WP No.6519 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.1 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in E.N.T. at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in E.N.T. Course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6532 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.6 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Anesthesiology at Vinayaka Mission

Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in Anesthesiology course in the Fifth Respondent Medical College including the cost of this Writ petition.

Prayer in WP No.6533 of 2018 : Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.12 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Diploma in Anesthesiology at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Diploma in Anesthesiology course in the Fifth Respondent Medical College including the Cost of this Writ Petition.

Prayer in WP No.6521 of 2018 : Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.8 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Biochemistry at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in Biochemisty course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6522 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the impugned proceedings under Letter No. MCI - 23 (I) (MC) / 2017 / 171371 dated 31.1.2018 issued by the first respondent Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ petitioner is projected as Serial No. 13

and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing P.G. Diploma in Child Health at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the respondents to permit the writ petitioner to continue and complete the P.G. Diploma in Child Health course in the Fifth Respondent Medical College including the Cost of this Writ petition.

Prayer in WP No.6534 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.11 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Diploma in Anesthesiology at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Diploma in Anesthesiology course in the Fifth Respondent Medical College including the Cost of this Writ Petition.

Prayer in WP No.6523 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.16 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G. Diploma in Dermatology, Venereology & Leprosy at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Diploma in Dermatology, Venereology & Leprosy course in the Fifth Respondent Medical College including the Cost of this Writ Petition.

Prayer in WP No.6524 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the impugned proceedings under Letter No. MCI - 23 (I) (MC) / 2017 / 171371

dated 31.1.2018 issued by the first respondent Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ petitioner is projected as Serial No. 14 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing P.G. Diploma in Ophthalmology at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the respondents to permit the writ petitioner to continue and complete the P.G. Diploma in Ophthalmology course in the Fifth Respondent Medical College including the Cost of this Writ Petition

Prayer in WP No.6525 of 2018 : Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.10 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Dermatology, Venereology & Leprosy at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in Dermatology, Venereology & Leprosy course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6526 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.9 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Medicine at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G. Degree in General Medicine course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6527 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.15 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G. Diploma in Orthopaedics at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G. Diploma in Orthopaedics course in the Fifth Respondent Medical College including the Cost of this Writ Petition.

Prayer in WP No.6528 of 2018 : Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.2 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in E.N.T. at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in E.N.T. Course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6530 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.4 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Surgery at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to

direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in General Surgery course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6531 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.5 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Surgery at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in General Surgery course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6520 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.7 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Anesthesiology at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in Anesthesiology course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6529 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.3 and to quash the same as illegal and non-est in the eyes of Law in

so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Surgery at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in General Surgery course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6523 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.16 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G. Diploma in Dermatology, Venereology & Leprosy at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Diploma in Dermatology, Venereology & Leprosy course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6524 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.14 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G. Diploma in Ophthalmology at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Diploma in Ophthalmology course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6525 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary,

Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.10 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Dermatology, Venereology & Leprosy at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Diploma in Dermatology, Venereology & Leprosy course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6526 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.9 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Diploma in Orthopaedics at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Diploma in Orthopaedics course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6527 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.15 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Medicine at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in General Medicine course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6528 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.2 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in E.N.T at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in E.N.T course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6530 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.4 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Surgery at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in General Surgery course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6531 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.5 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Surgery at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in General Surgery course in the

Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6520 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.7 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in Anesthesiology at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in Anesthesiology course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.6529 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for records of the Impugned Proceedings under Letter No.MCI-23(1) (MC)/ 2017/ 171371 dated 31.01.2018 issued by the first respondent, Joint Secretary, Medical Council of India addressed to the Principal, Vinayaka Missions Medical College, Karaikal, Puducherry State in which the name of the Writ Petitioner is projected at Serial No.3 and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G.Degree in General Surgery at Vinayaka Mission Medical College, Karaikal, Puducherry State and consequently to direct the Respondents to permit the Writ petitioner to continue and complete the P.G.Degree in General Surgery course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Common Prayer in WP No.6623 to 6626 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorari, to call for the records of the 2nd respondent in its proceedings No. MCI-23(1) (MC)/2017/126202 dated 24.07.2017 as confirmed by No. MCI-23(1) (MC)/2017/163871 dated 28.12.2017 of the 2nd respondent and quash the same as invalid, illegal and unconstitutional.

Prayer in WP No.15558 of 2018 : Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of

the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 1 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Degree in M.S. (Obstetrics & Gynecology) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the Respondents to permit the Writ Petitioner to continue and complete the P.G.Degree in M.S. (Obstetrics & Gynecology) course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15559 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 4 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Degree in M.S. (General Surgery) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G.Degree in M.S. (General Surgery) course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15560 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 2 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Degree in M.S.(Obstertrics & Gynecology) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G.Degree in M.S.

(Obstertrics & Gynecology) course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15561 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 11 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Degree in M.D. (General Medicine) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G.Degree in M.S. (General Medicine) course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15562 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 8 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Diploma in Child Health at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G.Diploma in Child Health course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15563 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, Medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 10 in Page No. 2 in respect of Discharge of 11 students and

to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Degree in Ophthalmology at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G.Diploma in Ophthalmology course in the fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15564 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, Medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 7 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Degree in M.D.(Paediatrics) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G.Degree in M.D. (Paediatrics) course in the fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15565 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, Medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 7 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Degree in M.S.(General Surgery) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G. Degree in M.S.(General Surgery) course in the fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15566 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the

impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, Medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 9 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it related to the discharge of the writ petitioner from pursuing P.G. Diploma in Oto- Rhino - Laryngology at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G. Diploma in Oto- Rhino - Laryngology course in the fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15567 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 3 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing P.G. Degree in M.S. (General Surgery) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G. Degree in M.S. (General Surgery) course in the fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.15568 of 2018: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the impugned proceedings under Letter No. MCI - 23 (1) (MC) / 2017 / 111508 dated 28.5.2018 issued by the 1st respondent Joint Secretary, medical Council of India addressed to the Principal, Mahatma Gandhi Medical College & Research Institute, Puducherry in which the name of the Writ petitioner is projected at Serial No. 5 in Page No. 2 in respect of Discharge of 11 students and to quash the same as illegal and non - est in the eyes of Law in so far as it relates to the discharge of the writ petitioner from pursuing P.G. Degree in M.S. (General Surgery) at Mahatma Gandhi Medical College & Research Institute, Puducherry and consequently to direct the respondents to permit the Writ Petitioner to continue and complete P.G. Degree in M.S. (General

Surgery)course in the fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.21255 of 2019: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for Records of the Impugned Proceedings under Letter No.MCI-23(1) (MC) / 2017 106148 dated 23.4.2019 issued by the Joint Secretary Board of Governors in supersession of Medical Council of India addressed to the Principal Aarupadai Veedu Medical College and Hospital Puducherry and to quash the same as illegal and non-est in the eyes of Law in so far as it relates to the discharge of the Writ Petitioner from pursuing P.G. Degree in General Surgery at Aarupadai Veedu Medical College and Hospital Puducherry and consequently to direct the Respondents to permit the Writ Petitioner to continue and complete the P.G.Degree in General Surgery course in the Fifth Respondent Medical College including the cost of this Writ Petition.

Prayer in WP No.8473 of 2020: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, call for records pertaining Impugned Order passed by the 9th respondent vide Ref.No.PU/Aca-7/Recog/SMVMC & H-PG/2017-18/194 dated 15.02.2018, and quash the same, and consequently direct the respondents 8 and 9 to approve/recognize the admission of those students, whose admission was not recognized in the impugned order of the 9th respondent, admitted in the PG Couse in various specialty for the academic year 2017-18, in the petitioner institution, enabling to peruse their course and appear for the exams in future.

Prayer in WP No.9106 of 2020: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for the records relating to the order made in No. PU/ Exam /Med /E5/ 202/ 84 dated 17.06.2020 passed by the 7th respondent quash the same and consequentially direct the respondents to recognize the admission of the petitioner in the post graduation course of M.D.Radio Diagnosis in terms of PG (MD/ MS) Course 2017-Admission Reg dated 31.05.2017 issued by the 6th respondent and permit the practitioner to complete the course by allowing her to sit for written examination as well as piratical and oral examination to be held on 15.07.20 to 22.07.2020 by the 5th Respondent as Scheduled in the time table annexed in the order made in No.PU / Exam /M-E5 /2020 dated 11.06.2020 or reschedule by the 7th respondent for MD/MS Degree examination July 2020 post graduate course by providing hall ticket to the petitioner.

Prayer in WP No.9115 of 2020: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for the records relating to the order of the 6th respondent herein dated 23/06/2020 in No.PU/Aca -07 / Recognition /2020 /176 and quash the same.and permit the petitioners to sit for the final PG MD/Ms Course examinations in the 5th respondent Institution.

Prayer in WP No.9336 of 2020: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, call for the records of the 6th respondent in proceedings dated 23.6.2020 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 and grant such further or other reliefs .

Prayer in WP No.9583 of 2020: Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for the records relating to the order made in No.Pu/Aca -7 Recognition /2020/176 dated 23/06/2020 passed by the 8th respondent quash the same and consequentially direct the respondents to recognise the admission of the petitioner in the post graduation course of M.D.Radio Diagnosis in terms of PG (MD / MS) Course 2017 - Admission Reg. Dated 31/05/2017 issued by the 6th respondent and permit the petitioner to complete the course by allowing her to sit for written examinations as well as practical and oral examination to be held on 15.07.2020 to 22.07.2020 by the 5th respondent as scheduled in the time table annexed in the order made in No.PU/Exam/M-E5/2020 dated 11.06.2020 or reschedule by the 7th respondent for MD/Ms Degree examination July 2020 post graduate course by providing hall ticket to the petitioner.

For Petitioners

in W.P.No.31921/2017 : Mr.V.B.R.Menon
 in W.P.No.1155 of 2018 :Mr.T.V.Lakshmanan
 in W.P.No.1284 of 2018 :M/s.Vijaya Narayanan (SC)
 for M/s.A.Jenasenan

For Petitioners

in W.P.Nos.8473/2020

& 3259/2018 : Mr.B.Balavijayan

in W.P.Nos.9106/2020

& 9583/2020 : Mr.G.Ethirajulu

in W.P.Nos.9115/2020

& 1287/2018 : Mr.ARL.Sundaresan, Sr. counsel

in W.P.Nos.9336/2020

& 4016/2018 : Mr. N.S.Nandakumar

& 6623 to 6626/2018

in W.P.Nos.6512 to 6534/2018 : Mr.V.Karthic, Sr. Cousnel

15558 to 15568 /2018 & for Mr.L.Swaminathan

21255/2019

For Respondents

in W.P.No.31921 of 2017 : Mr.C.T.Ramesh R 1 to 4

Additional Government Pleader

Puducherry

: Mr.V.P.Raman for R 5

Standing Counsel

:Mr.Rabu Manohar for RR 6 & 8

:Mr.Gopinathan for R 7

Standing Counsel

:Mr.L.Swaminathan for RR 9 & 10

: Mr.Sriram Panchu for R 11

Senior Counsel

for Mr.V.Chandra Prabu

: Mr.K.Kumareshbabu R 12

: Mr.B.Balavijayan for R 13

: Mr.T.V.Lakshmanan for R 14

: Mr.A.Jenasenan for R 15

For Respondents

in W.P.Nos.8473/2020 : Mr.Bajanairaja for R 1
 Mr.V.P.Raman for R 2
 Mr.A.V.Ramalingam, for RR 3,4 & 5
 Additional Government Pleader
 Mr.M.Ravi for RR 8 & 9
 Standing Counsel

in W.P.No.3259/2018 : Mr.B.Rabu Manohar for R 1
 : Mr.V.P.Raman for R 2
 Standing Counsel

Mr.V.B.R.Menon for R 8
 in W.P.Nos.9106/2020 : Mr.Bajanairaja, for R 1
 & 9583/2020 CGSC
 : Mr.A.V.Ramalingam, for RR 3 & 4
 AGP (Pondicherry)
 Mr.M.Ravi for R 5

in W.P.Nos.9115/2020 : Mr.Bajanairaja for R 1
 CGSC
 : Mr.V.P.Raman for R 2
 Standing Counsel
 : Mr.A.V.Ramalingam, for R 3
 AGP (Pondicherry)
 Mr.M.Ravi for R 5

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in W.P.No.1284 of 2020 : Mr.B.Rabu Manohar-for R1
 Mr.V.P.Raman-for R2
 Mr.C.T.Ramesh for R3 & R4

in W.P.No.1287/2018 :Mr.B.Rabu Manohar for R 1

:Mr.V.P.Raman for R 2

St.Counsel

:Mr.S.Prakash for R 4

:Mr.Arunkumar for R 6

:V.B.R.Menon for R 7

in W.P.Nos.9336/2020 :Mr.Bajanai Raja for R 1

: Mr.V.P.Raman for R 2

St.Counsel

:Mr.A.V.Ramalingam for R 3

Additional Government Pleader

:Mr.M.Ravi for R 6

in W.P.No.1155/2018 : M/s.A.V.Bharathi for

Pondicherry University

in W.P.No.4016/2018 : Mr.C.V.Ramachandra Murthy for R 1

: Mr.V.P.Raman for R 2

St. Counsel

in WP.Nos.6623 to 6626/2018 : Mr.T.V.Krishnamachari for R 1

: Mr.V.P.Raman for R 2

St. Counsel

:Mr.C.T.Ramesh for RR3 to 5

AGP (Pondy)

in W.P.Nos.6512 to 6534/2018 : Mr.V.P.Raman for R 1

15558 to 15568 /2018 & Standing Counsel

21255/2019 : Mr.C.T.Ramesh for RR2 to 4

AGP (Pondicherry)

: Mr.T.Gowthaman for R 5

COMMON ORDER

The issues involved in all the Writ Petitions are common/ inter-connected and hence all the Writ Petitions are taken up together and this common order is passed. These batch of Writ Petitions were entirely heard through video conferencing on the consent given by either sides and apart from the regular hearings during working days, permission was also granted by the Hon'ble Chief Justice to hear the cases on a holiday namely, on 26.09.2020. The hearing was concluded on 26.09.2020 and orders were reserved.

2. There are broadly three categories of cases involved in these batch of Writ Petitions. The first category of cases are Writ Petitions filed by 6 Medical Colleges (3 private Medical Colleges affiliated to Pondicherry University and 3 remaining colleges coming under the category of "Deemed to be University") and these colleges have challenged the order of discharge passed by the Medical Council of India (hereinafter referred to as "MCI"). The second category of Writ Petitions are filed by the candidates belonging to these colleges against the order of discharge passed by the MCI and the third category of Writ Petition was filed by a batch of 28 candidates, who were denied admissions in these colleges even though they were allotted a seat at the time of counselling. The following tabular column will give a bird's eye view of the same:

Sl. No.	Writ Petition No.	Parties who filed the Writ Petition
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|----|---------------------------------|--|
| 1. | 31921 of 2017 | 28 candidates provisionally admitted by CENTAC and allotted with colleges but denied admission by the institutions. |
| 2. | 1155 of 2018 | Sri Venkateswara Medical College (SVMC). |
| 3. | 6623-6626 of 2018, 4016 of 2018 | Candidates who were discharged by the Impugned Order passed by the MCI from Sri Venkateswara Medical College (SVMC). |

4. 1284 of 2018 Pondicherry Institute of Medical Sciences (PIMS)
5. 1287 of 2018 Candidates who were discharged by the impugned order passed by the MCI from Pondicherry Institute of Medical Sciences (PIMS).
6. 3259 of 2018 Sri Manakula Vinayagar Medical College and Hospital (SMVMCH).
7. 6512-6518 of 2018 and 21255 of 2019 Candidates who were discharged by the impugned order passed by the MCI from Arupadai Veedu Medical College and Hospital (AVMCH).
8. 6519-6534 of 2018 Candidates who were discharged by the impugned order passed by the MCI from Vinayaka Missions Medical College and Hospital (VMMCH).
9. 15558-15568 of 2018 Candidates who were discharged by the impugned order passed by the MCI from Mahatma Gandhi Medical College and Research Institute (MGMCRI).

3. There is yet another category of Writ Petition filed in W.P. Nos. 8473 of 2020, 9106 of 2020 and 9583 of 2020. These Writ Petitions are filed by SMVMCH and a student belonging to PIMS against the action taken by the Pondicherry University not recognizing the admission on the ground that the admissions were found not to have been made from the Merit List prepared by the Central Admissions Committee (hereinafter referred to as "CENTAC"). These are candidates who were not discharged by the MCI and the irregularity in admission was later found out by the Pondicherry University.

4. The other Writ Petitions have been filed by the same candidates who approached this Court to permit them to write the final examinations on the ground that their discharge orders have already been stayed by this Court.

5. The discharge orders passed by the MCI was stayed by this Court and the concerned candidates were asked

to file an affidavit to the effect that they will not claim any equity on the ground of the interim order passed in their favour. Accordingly, the condition imposed by this Court was accepted and thereafter the candidates were permitted to undergo the entire course and they have also written the final examinations. Except the results, which were made subject to the final result in the Writ Petitions, all the other formalities have been completed by the candidates.

6. The issue involved in this case pertains to the admission of candidates to PG Medical (Degree and Diploma) Courses for the academic year 2017-18 through CENTAC. The Government of India, Ministry of Health and Family Welfare, New Delhi through a letter dt. 10.03.2017, communicated the Post Graduate Medical Education (Amendment) Regulations, 2017 and stated that it is mandatory to have common counselling for admission to UG and PG Courses in all Medical Institutions in a State or Union Territory and it will also cover institutions who are private Medical Colleges and Deemed to be Universities. Regulation 9A specifically provided as follows:

"9A. Common Counselling-

1. There shall be a common counselling for admission to all Postgraduate Courses (Diploma/MD/MS/DM/M.Ch) in all Medical Educational Institutions on the basis of merit list of the National Eligibility-cum-Entrance Test.

2. The designated authority for counselling for the 50% All India Quota seats of the contributing States shall be conducted by the Directorate General of Health Services. Such counselling as per the existing schemes shall be only for Diploma and MD/MS courses.

3. The counselling for all Postgraduate courses (Diploma/MD/MS/DM/M.Ch) in all Medical Educational Institutions in a State/Union Territory, including Medical Educational Institutions established by the Central Government, State Government University, Deemed University, Trust, Society or a Company/Minority Institutions/Corporations shall be conducted by the State Government. Such common counselling shall be under the over-all superintendence, direction and control of the State Government .

7. The Government of Puducherry in compliance with the above-said amended regulations, issued instructions to all the 7 Medical Colleges in the Union Territory of Puducherry (4 under Deemed to be Universities and 3 Self-Financing) for allocation of 50% of the total Post Graduate Degree/Diploma seats to Government of Puducherry and also take part in the combined counselling to be conducted by CENTAC. The CENTAC was constituted by the Government of Puducherry for conducting the common counselling for PG Medical Admissions. Pursuant to the Orders passed by the Hon'ble Supreme Court in the case of Education Promotion Society of India and Ors. v. Union of India and Ors., dt. 04.05.2017, the Deemed Universities and Minority Institutions were also directed to be made part of the common counselling.

8. The report submitted by CENTAC on the admission of candidates to the PG Medical Courses for the year 2017-18 gives the full picture of the entire exercise undertaken by CENTAC and a gist of the same is extracted hereunder:

- The Central Admission Committee (CENTAC) Puducherry is duty bound only to admit candidates as per NEET merit in their respective category.
- The Directorate of Health and Family Welfare Services, Government of Puducherry obtains seats from the different institutions and lays down the policy for the manner of admission and the manner of treatment of State and Management Quota seats.
- The Department then allots seats to CENTAC and it can only fill seats according to the said merit list and reservation particulars.
- In the above -mentioned academic year, the application status was as follows:

Category	No. of Seats Available	No. of Applicants
MD/MS for the State Quota of Puducherry	162	267
		PG Medical (Degree and Diploma)

MD/MS for the All India Quota (Management Quota)	156	1827
		PG Medical (Degree and Diploma)
PG Dental from the Union Territory of Puducherry	26	50
PG Dental - All India General Category	20	78

- NEET-PG Merit list for Puducherry candidates was prepared after verification of Caste, Nationality, Nativity/Residence Certificates by a Committee of Revenue Officials at the CENTAC Office followed by field enquiries. A merit list for All India Quota candidates was prepared. Both the lists were displayed on the CENTAC website.
- Seat Matrix was prepared following the Roster system, as instructed by the Health Secretariat, Government of Puducherry in order to adopt the reservation policies of the State Government. The same was approved by the Committee Members of CENTAC vide. Minutes of Meeting dt. 28.04.2017 and this seat matrix was displayed on the CENTAC website.

First Round Counselling

- On 04.05.2017, the first round of Counselling commenced based on the merit list displayed on the CENTAC website. 41 Government Quota seats were claimed. Some of the candidates who were allotted the seats raised issues regarding the fee structure. It was however, informed to them that the CENTAC was solely for the purpose of allotting seats based on the mandate of the Health Department and that any other matter would fall beyond the purview of its role.
- Post completion of the first round of counselling for MD/MS Courses, the Convenor, CENTAC received a letter with reference to the order of the Hon'ble Supreme Court of India in W.P. (C) No. 244 of 2017. The summary of the said order is as follows:
 - ® All PG Medical Seats in Deemed Universities are to be filled up only on All India basis i.e. there would be no State Quota.

- ® The State Government was asked to conduct common counselling for admission to PG Courses in Deemed Universities along with those of the other colleges.
- ® As per instructions of the Ministry of Health and Family Welfare, Government of India, in its letter dt. 05.12.2016, common counselling for admission to PG courses in Deemed Universities was to be conducted for all seats in the same manner as private institutions. i.e. Management and Government Quota seats respectively.
- ® The representatives of Deemed Universities and Minority Institutions should also be a part of the Counselling Committee.
- ® The candidates should be made to deposit the tuition fees payable to the concerned Deemed University at the time of common counselling itself.
- ® 08.05.2017 was set as the last date for receipt of the applications by the Deemed Universities. These applications were to be sent to the Counselling Authorities on the very same day by 7.00 p.m.
- ® Counselling was to commence from 11.05.2017.
- ® The seats in Minority Institutions were to be filled-up by minority candidates and in the event of any seat in Minority Institutions not being filled, the same could be filled by candidates not belonging to the minority.

However, the order was not available until 06.05.2017. On seeking an advice from the Law Department, it advised that communication by an interested party cannot be the basis for any action and that the original order must be awaited. Therefore, the counselling schedules on 05.05.2017 was postponed.

The CENTAC received several representations from Deemed Universities stating that seats in the said universities must be filled up on All India basis only in accordance with the order of the Hon'ble Supreme Court of India in

W.P. (C) No. 244 of 2017. Minority Institutions also claimed that, owing to their status, their seats cannot be taken by the Government.

- The 2nd day of the first round of counselling initially scheduled on 05.05.2017 and postponed was rescheduled to be held on 11.05.2017. After considering various regulatory provisions and administrative instructions and giving sufficient notice to the candidates, CENTAC decided to go ahead with the Counselling for the Government Quota seats and recommenced the Counselling scheduled on 11.05.2017, at the end of which 86 Government Quota seats remained unclaimed.
- Upon information received by CENTAC, that PG Diploma seats had not been included in the common Counselling, inputs were provided to Health Department. The Health Department, in turn, on 16.05.2017, sent the seat matrix of PG Diploma seats including both Government and Management Quotas to CENTAC.
- On 18.05.2017, CENTAC conducted Counselling for these PG Diploma Seats. 3 out of 14 seats were filled up at the end of this round.

Second Round Counselling

- On 19. 05.2017, the second round of counselling commenced after giving sufficient notice to the candidates. It was conducted for both MD/MS and PG Diploma Seats combined. Allotment of seats were made to 91 candidates. 71 PG seats under the Government Quota remained vacant at the end of this round.

Status after first and second rounds of counselling

- At the end of the first and second rounds of counselling, 86 and 71 Government Quota seats remained vacant respectively, unlike other States.

· Despite the issuance of Notification dt. 24.05.2017, by the Fees Committee, fixing interim fees and the same being displayed on CENTAC's website, candidates continued to agitate on the non-fixtured fee structure. The CENTAC asserted in reply that the same was beyond its purview and was within the scope of the Health Department's role.

Mop-Up Round of Counselling

- On 11.05.2017, the Health Department, Govt. of India, issued instructions to the effect that mop-up rounds of counselling were to be conducted in order to ensure that no PG Medical seats remain vacant.
- On 25.05.2017, CENTAC addressed a note to the Health Department seeking clarification as to whether at the end of the mop-up round of counselling, State Quota seats were to be converted into Management Quota seats.
- On 26.05.2017, CENTAC received instructions stating that the Central Government in consultation with the Medical Council of India decided to reduce the percentile cut-off by 7.5 points thereby, setting the minimum percentile for eligibility at 42.5 for General Category Candidates and at 32.5 for Reserved Category. The Convenor was asked to make necessary arrangements. Instructions were given to make necessary arrangements for allowing candidates as per revised qualifying marks to attend the counselling and for admission of candidates in mop-up counselling be done with the revised merit list and the seats be filled-up on All India basis.
- On 27-05-2017, The Under-Secretary, Health Secretariat, Government of Puducherry through a letter, asked the Convenor, CENTAC to first conduct mop-up round of counselling. After completion of the same, vacant seats were to be determined and list of candidates in order of merit, equaling 10 times the number of vacant seats were to be forwarded to medical colleges concerned.
- During the mop-up counselling on 29.05.2017 & 30.05.2017, 143 seats under PG Degree courses, 18 seats under Diploma Category and 7 seats in PG Dental courses were filled up respectively. Admission was purely based on the NEET rank/score.
- 7 candidates belonging to the UT of Puducherry had attended the mop-up counselling on 29-05-2017, and 3 of them had availed the seats. This was after the percentile for eligibility was brought down.
- On 30.05.2017, the Hon'ble Lieutenant Governor visited the CENTAC Office and issued an order to conduct the mop-up

counselling for State Quota that day between 9.00 a.m. and 1.30 p.m. rescinding the earlier allotment for any diverted Government Quota seats. The vacancy of about 71 seats in various non-clinical courses as on 30.05.2017 at 12.00 p.m. was also displayed on the CENTAC website. The Secretary of Department of Health issued a press note highlighting the apparent improvement in the functioning of the CENTAC post the visit of the Hon'ble Lt. Governor.

- During the counselling, the same 267 candidates were called but only 20 turned-up. Out of 10 newly eligible candidates (due to lowering of cut-off), 7 availed seats in Deemed Universities. Further, out of another 6 newly eligible candidates, 5 availed seats in Deemed Universities. The residence status of these newly eligible candidates could not be verified due to paucity of time. Out of 4 candidates who availed seats under self-financing colleges during mop-up on 31.05.2017, 3 had attended previous counselling. At the end of this round of counselling, a vacancy of 45 State Quota seats was handed over to the Director General of Health Services as per Hon'ble Lt. Governor. The list of Selected Candidates was sent to all the concerned colleges and the Medical Council of India.
- The management of institutions were asked to admit all candidates as per the Merit List forwarded by Government with strict adherence to official fee structure as per Fees Committee of Puducherry (Government and Management Quotas) and complete admission process on or before 31.05.2017.

Analysis

- State Quota seats of self-financing colleges were not taken up by All India Quota candidates during the counselling held on 29.05.2017.
- 20 of the converted State Quota seats of Deemed Universities earlier available to Puducherry Candidates were taken by All India Merit candidates on 29.05.2017
- No difference in State Quota and Management Quota in Deemed Universities. Same fee structure.

- No desired State Quota seats were taken by All India Quota Candidates on 29.05.2017.

Summary

- 34 availed seats on 31.05.2017, of which 8 were on basis of sliding (7 under Deemed University and 1 under self-financing).
- From remaining 26 candidates, 22 availed seats in Deemed Universities including newly eligible 10 candidates among whom 7 of them availed the seats.
- Remaining 4 candidates availed seats in self-financing colleges i.e. 2 from PIMS and 2 from SMVMC.
- 1 candidate availed the seat in Pharmacology leaving 4 Pharmacology State Quota seats vacant.

9. It is clear from the above report submitted by CENTAC that the first round of counselling was held on 04.05.2017 and 11.05.2017 respectively and at the end of the same, 86 Government Quota seats remained unclaimed. On 18.05.2017, counselling was conducted for PG Diploma seats and 3 out of 14 seats were filled up. The second round of counselling commenced from 19.05.2017. At the end of the second round, 71 PG seats under the Government Quota remained vacant. This was the time when the Hon'ble Supreme Court delivered the judgement in Dar-us-alam Case in W.P. (C). No. 267 of 2017, dt. 09.05.2017, wherein at paragraph 7 of the judgement, the concept of mop-up counselling and filling up of stray vacancies after the mop-up counselling was introduced. Since this was the first time, the NEET exams were introduced and the judgement in Dar-us-alam was delivered by the Hon'ble Supreme Court, there was some confusion in understanding its impact.

10. After the second round of counselling was completed, CENTAC received instructions from the Central Government which in consultation with the MCI reduced the percentile cut-off. Before the reduction of the percentile, there were 1827 candidates whose name was found in the merit list. After the reduction of the percentile cut-off, the number went up to 1861 candidates in the merit list. This list was prepared on 29.05.2017 and the mop-up counselling was held on

the same day. Thereafter, a separate merit list containing the names of 1718 candidates was made available for filling up the stray vacancies.

11. Some of the candidates who were allotted seats during the first and second rounds of counselling, were denied admission by the 6 colleges. According to the petitioners in these Writ Petitions, even though they had deposited the prescribed fees by way of Demand Draft before the third respondent namely, CENTAC, they were not admitted in the colleges since exorbitant fees was demanded from them and these candidates could not pay this amount. Several complaints were made and ultimately a Public Interest Litigation came to be filed in W.P. No. 14232 of 2017. An interim order came to be passed by directing the Deemed Universities to admit the candidates selected during the counselling and the candidates were directed to deposit a sum of Rs.10,00,000/- at the time of admission towards the annual fees for the first year, till the fees is determined by the Fee Committee. This Court also directed that a Fee Committee be constituted within a period of three weeks and the Committee was directed to take a decision within a period of four months. This became a subject matter of challenge before the Hon'ble Supreme Court. Initially, an interim order was passed and ultimately, the Hon'ble Supreme Court by an order dt.16.04.2018, remitted the matter back to the High Court.

12. A contempt petition came to be filed in Cont. P. No. 1040 of 2017, on the ground that the interim orders passed by this Court was not complied with. It was informed to this Court that no vacant seats were available in the colleges and therefore, they were not able to allot any seats. This was recorded by the Division Bench and one of the candidates in the meantime was granted a seat in Sri Lakshminarayana Institute of Medical Science, Puducherry.

13. In view of several complaints given by many parents and candidates, the CBI started an investigation and an FIR was also registered on 18.09.2017. A Public Interest Litigation was filed in W.P. No. 17325 of 2017, before this Court seeking for discharging all the illegally admitted candidates and to admit the candidates who were duly selected during the counselling and who were denied admission on the ground that they did not pay the exorbitant fees demanded by the colleges. Simultaneously, the 28 petitioners in this Writ

Petition initially filed a Writ Petition before the Hon'ble Supreme Court, seeking admission in the respective colleges. The Hon'ble Supreme Court dismissed the Writ Petition by an order dt. 24.11.2017, on the ground that the admission is already over for the academic year 2017-18 and if the Petitioners have any other grievance, they were directed to approach the High Court. This liberty granted by the Hon'ble Supreme Court resulted in filing W.P. No. 31921 of 2017.

14. The Public Interest Litigation filed in W.P. No 17325 of 2017, ultimately came to be dismissed by an order dt. 12.02.2018. It will be pertinent to extract the relevant portions of the order hereunder:

"13. Students competing in a selection test for a particular academic session and getting selected to a medical course for that academic session cannot claim admission in a different academic session. It is only in exceptional and rare cases, where the Court arrives at the definite finding that a candidate has illegally been denied admission, but the candidate cannot be given the relief of admission in the same academic year, that the candidate can be directed to be accommodated in the next academic year. The students who had been selected and had undergone counselling for the academic session 2017-2018 were not admitted, as they had not been able to deposit the fees charged. To determine the question of whether the concerned students were illegally denied admission, this court would necessarily have to decide the question of legality of the fees demanded by the respondent colleges.

14. The Supreme Court has, by its order dated 04.8.2017, referred to above, directed the High Court not to proceed with W.P. No.14232 of 2017 as the Supreme Court was going to dwell upon the entire controversy, that is the controversy with regard to fees charged by the respondent Universities. The Fee Committee constituted by this Court was also directed not to proceed further.

15. Since the Supreme Court is deciding the question of appropriateness of the fees charged by the Deemed Universities, we cannot decide the issue of whether the fee is appropriate or not. We cannot, therefore, decide the question of whether the admissions have illegally been made, since this would depend on the legality/illegality of the fee structure, of which the Supreme Court is in seizin.

16. Even though, as argued by Mr. Menon, the Hon'ble Supreme Court has not interfered with the interim order passed by this Court and has directed that the students be extended the benefit of the order passed by this Court, subject to further directions of the Supreme Court, the Supreme Court has directed that this Court should not proceed with W.P.No.14232 of 2017 as the Supreme Court is going to dwell upon the entire controversy and the Committee constituted by the High Court was also directed not to proceed with the matter. The question of whether the students who underwent counselling were wrongfully denied admission for inability to pay the fees charged by the respondent institutions would depend on final determination of the controversy in W.P. No.14232 of 2017, of which the Hon'ble Supreme Court is in seizin. This Court cannot decide the question of legality and/or appropriateness of the fees of Rs.45 lakhs to Rs.60 lakhs per annum charged by the respondent institutions.

17. In order to arrive at the finding that the students have wrongfully been denied admission, we have to necessarily decide the question whether they could claim any right to be admitted, without paying the fees charged by the Deemed Universities. We would necessarily have to decide whether the fees demanded by the respondent institutions is exorbitant, arbitrary and illegal. We cannot enter into the question of appropriateness of the fees, since the Supreme Court is in seizin of the matter. We are therefore unable to grant the relief now prayed by Mr.V.B.R.Menon, i.e., direction on the

colleges concerned to reserve seats for these students in the next academic session.

18. A prayer has been made to keep the writ petition pending. In our view, no useful purpose will be served in keeping the writ petition pending. Therefore, this Writ Petition is dismissed. If any relief can be granted to the affected students, whose cause is being represented by the writ petitioner, upon final verdict of the Hon'ble Supreme Court, the case may be reopened. No costs. Consequently, connected miscellaneous petitions are closed".

15. In the meantime, the MCI started issuing the discharge orders to the concerned colleges. Insofar as Sri Venkateswara Medical College is concerned, by letter dt.24.07.2017, 6 candidates were discharged on the ground that their names were not found in the merit list provided by CENTAC.

Later, the discharge order was reiterated for 5 candidates by communication dt. 22.12.2017. In the same manner, the MCI issued a letter dt. 24.07.2017 to Pondicherry Institute of Medical Sciences and discharged 16 candidates on the very same ground. Based on the explanation given by the institution, the discharge was reiterated with respect to 13 candidates. Similarly, the MCI issued letter dt. 24.07.2017 to Manakula Vinayagar Medical College discharging 15 candidates on the very same ground. On explanation, the discharge was reiterated with respect to 10 candidates through letter dt. 31.01.2018. In the same manner, the MCI issued letter dt. 24.07.2017 to Arupadai Veedu Medical College, Puducherry discharging 13 candidates on the very same ground. Out of the same, 5 candidates were found to have been admitted through the CENTAC Merit List. Therefore, the discharge order now confines itself to 8 candidates belonging to this college. In the same way, the MCI issued letter dt. 24.07.2017 to Vinayaka Mission Medical College discharging 21 candidates. Later, it was withdrawn for 5 candidates and through letter dt. 31.01.2018, the discharge was reiterated for 16 candidates. Likewise, the MCI issued letter dt. 24.07.2017 to Mahatma Gandhi Medical College and Research Institute discharging 23 candidates. On explanation submitted by the college, the discharge was reiterated for 11 candidates by letter dt. 28.05.2018. All these discharge orders have been put to challenge by the institutions as well as the candidates who were discharged. In all these Writ Petitions, the writ Petitioners in W.P. No. 31921 of 2017, have impleaded themselves and they are opposing the claim made by the Petitioners.

16. This Court heard Mr.V.B.R.Menon, Mr.B.Balavijayan, Mr.G.Ethirajulu, Mr.N.L.Rajaj, Mr.AR.L.Sundaresan, Mr.V.Karthic, Mr.N.S.Nanda Kumar learned Senior Counsel, Mr.T.V.Lakshmanan, Mr.A.Jenasenan, Mr.S.Arun Kumar, Mr.G.Sankaran, learned counsel for Petitioners and Mr.C.T.Ramesh, learned AGP, Mr.V.P.Raman, learned St.Counsel, Mr.Rabu Manohar, Mr.Gopinathan, learned St. Counsel, Mr.L.Swaminathan, Mr.Sriram Panchu, learned Sr.Counsel, Mr.K.Kumareshbabu, Mr.B.Balavijayan, Mr.T.V.Lakshmanan & Mr.A.Jenasenan, learned counsel appearing on behalf of Respondents.

17. Mr. N.L.Rajah, learned Senior Counsel who appeared on behalf of the Institution and Mr.A.R.L.Sundaresan, learned Senior Counsel appearing on behalf of the discharged candidates, broadly made the following submissions:

- The order passed by MCI suffers from violation of principles of natural justice since it was passed without affording sufficient opportunity and it was reiterated even without considering the explanation given by the institution.
- The judgement in Dar-us-alam will not apply to PG Courses and the same has been made clear by the Hon'ble Supreme Court in Ashish Ranjan v. Union of India in W.P. (C) No. 76 of 2015, dt. 09.06.2017. The relevant portions relied upon are extracted hereunder:

"15. A perusal of directions issued on 03.05.2017 clearly indicate that with regard to admission of candidates belonging to minority community several directions were already issued with regard to the admission in Postgraduate courses as per order dated 03.05.2017. When this Court has already issued an order ensuring students of minority community be admitted after proper verification on 03.05.2017 itself, there was no occasion to issue further directions on the same subject on 09.05.2017, if both the orders relate to Postgraduate admissions. This clearly gives support to the submission made by the learned counsel of Medical Council of India that order dated 09.05.2017 confines to admission to Under-Graduate Courses.

16. In order dated 03.05.2017 following was specifically mentioned:

'''The aforesaid order covers filling up of posts in the post graduate courses. As there is dual prayer in these writ petitions, which also relate to undergraduate courses, let the writ petitions be listed on 4th May, 2017, only for the said relief.'''

17. Above order dated 03.05.2017 clearly indicates that matter was to be further listed on 04.05.2017 for considering the relief relating to Under-Graduate Courses. On 4th May, 2017 matter could not be taken up and adjourned to 08.05.2017 an ultimately order was issued on 09.05.2017. Thus, order dated 09.05.2017 has been reproduced above in reference to above paragraph. The above paragraph of order dated 03.05.2017 clearly supports the contention of Shri.Sharma that order dated 09.05.2017 relates to admission of Under-Graduate.

18. The order passed by this Court on 27th April, 2017 in Writ Petition © No.270 of 2017 when read with order of this Court dated 09.05.2017 passed in Writ Petition (c) Nos.267, 292, 270 of 2017 also leads to the same conclusion. Order dated 27th April 2017 in Writ Petition (c) 270 of 2017 also contains various directions for academic year 2017-2018 in reference to Postgraduate admissions. In Writ Petition (c) No.270 of 2017 following order was passed:

"W.P.(c) No.270/2017

Heard Mr.Sunil Gupta, learned senior counsel along with Mr.Romy Chacko, learned counsel for the petitioners and Mr.Vikas Singh, learned senior counsel along with Mr.Gaurav Sharma, learned counsel for the respondents.

As stated on the earlier occasion, memoranda have been filed by both the parties indicating solutions. The solutions that have been arrived at after due deliberation for the present academic year i.e.2017-2018 are as follows:

(i) The authorized representatives of the colleges, who are petitioners herein, shall

remain present at the time of counseling. We have used the work 'counseling' as Mr.Gupta, learned senior counsel has submitted that the first counseling has not yet been done in respect of these colleges. Mr.Vikas Singh, learned senior counsel should submit that when there is a common counseling, the question of holding counseling for four institutions does not arise. Be that as it may, that need not be adverted to at the present.

(ii)The second counseling is going to take place on 11th May, 2017. On that day, the authorised representative of the petitioner-colleges shall remain present and students shall be allocated to their colleges on the basis of merits. Needless to say, the counseling shall be done by the State or any university or authority that has been nominated by the State.

(iii) At the time of counseling, the candidates who are inclined to take admission in these colleges shall furnish an undertaking that they will do service in the Mission Hospitals connected with the present colleges after completion of the postgraduate course for a period WP(c)261/17 of one year.

(iv)The aforesaid prescription shall only be applicable to the minority students admitted by the petitioner-colleges on the basis of the common counseling. The representative of the colleges shall identify the status of minority, but what will ultimately prevail is that the minority candidate must fit into the compartment of merits. To clarify, if a student is meritorious and belong to the minority community, he shall have the priority in admission.

(v)The decision taken in the counseling committee shall be implemented by the colleges so that harmony is maintained.

The present order shall apply only to the post graduate admissions.

As far as the issue regarding undergraduate course is concerned, Mr.Vikas Singh, prays for three days time to come up with set up of solutions.

Let the matter be listed for for the said purpose on 4th May, 2017".

19.Writ Petition (c)No.270 of 2017 along with other writ petitions were listed on 4th May,2017, as directed on which date matter as adjourned to 8th May, 2017. Ultimately, the order dated 9th May, 2017 was passed Writ Petition(c)Nos.267, 292, 270, 227 and 258 of 2017. It has already been referred to above. Order dated 27th April, 2017 nas extracted above specifically mentioned:

"...The present order shall apply only to the postgraduate admissions.

As far as the issue regarding undergraduate course is concerned, Mr. Singh, prays for three days time to come up with set up of solutions.

Let the matter be listed for the said purpose on 4th May, 2017."

20.Thus, 4th May 2017 which was fixed and ultimately when order dated 9th May, 2017 was passed same was only in reference to Under-Graduate Course.

21.There is one more reason for coming upto the aforesaid conclusion. In order dated 09.05.2017, the State Government has been directed to determine the number of seats that are still vacant and thereafter is to forward a list of students in order of merit, equalling to ten times the number of vacant seats to the medical College so that in case of any stray vacancy arising in any College the said seat may be filled up from the said list. In admission to the Postgraduate Courses both merit and preference of candidates are looked into. Had the Court vide direction No.7 of the order dated 09.05.2017 intended the sending of ten times the number of vacancies of each Postgraduate Course, there would have been further elaboration pertaining to discipline and drawing of inter se merit.

22.We are, thus, of the considered view that order dated 09.05.2017 does not relate to

admission into Postgraduate Courses and it is confined to admission in Under-Graduate Courses as noted above".

- The names of the candidates were found in the All India List prepared by the Government of India and all the candidates have cleared the NEET exams and were qualified for being admitted in the relevant courses.
- The Government of Puducherry by letter dt.31.05.2017, directed the colleges to fill up the seats left vacant from the lists enclosed and no such list was furnished. Therefore, whoever reported before the institution on 31.05.2017 and whose name were found in the original list, were admitted in the vacant seats.
- NEET and Common Counselling were introduced for the first time in the year 2017 and there was a lot of confusion with regard to the procedure to be followed to fill up the vacant seats. Therefore, even if it is taken that the admission was not strictly in accordance with the Regulations, it can only be considered to be irregular and not illegal. Therefore, considering the fact that the candidates have completed the course and written the final examinations, their admissions can be regularized and they can be permitted to complete the course.
- Insofar as the non-admission of the candidates in W.P. No. 31921 of 2017 is concerned, the candidates did not pay the fees. The Hon'ble Supreme Court in Education Promotion Society of India case has held that if the candidates who secure admission at the time of common counselling do not pay the requisite fees, the admission will stand automatically lapsed. That apart, the orders passed by this Court in W.P. No. 17325 of 2017, dt. 12.02.2018, virtually brings to an end the claim made by them and they are not entitled for any of the claims made in the Writ Petition.

18. Mr. Karthick, learned Senior Counsel appearing on behalf of the Deemed Universities made the following submissions:

- The candidates who were allotted seats in the

institutions are qualified and their names were found in the merit list published by CENTAC. In order to substantiate his submissions, the following tabular columns were circulated for an easy understanding of the facts:

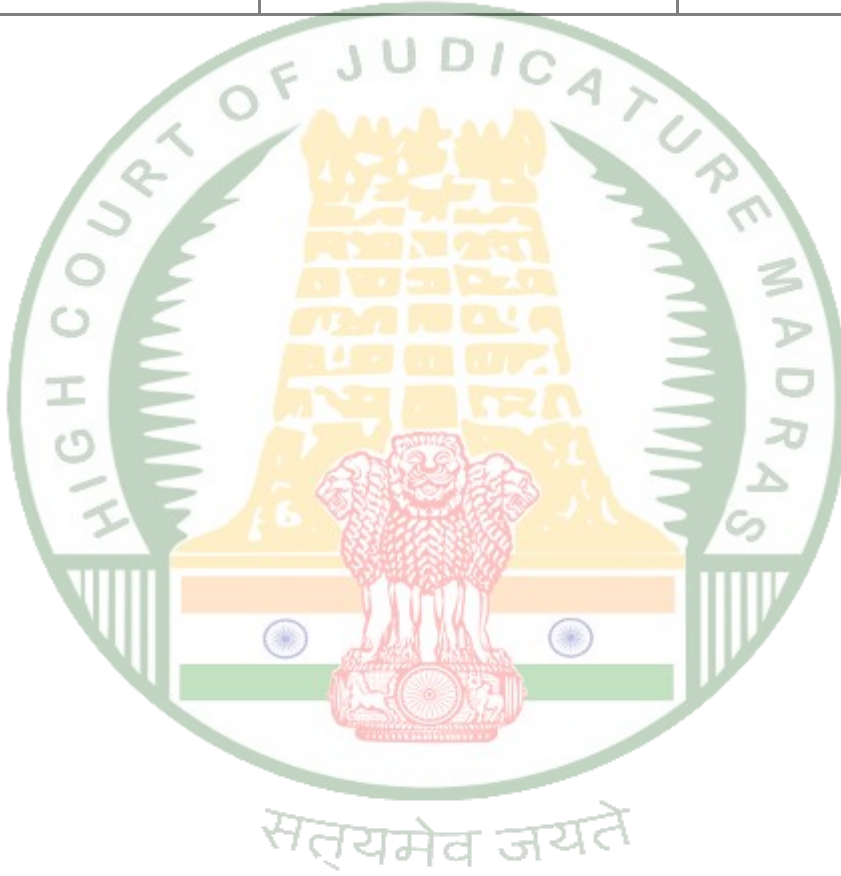
VINAYAKA MISSIONS MEDICAL COLLEGE & HOSPITAL,
KARAIKAL, PUDUCHERRY

PG STUDENTS (Writ Petitioners)

NAME	WRIT PETITION	DETAILS
Dr. Jinu Vadakkanethu Iype	W. P. No. 6519 of 2018 57654 708.3582	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
Dr. Vinithkumar K	W. P. No. 6520 of 2018 42034 786.2730	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
Dr. Anantha Priya (Revised List)	W. P. No. 6521 of 2018 70747 636.9053 S. No. 1718 (Pg No. 35)	Writ Petitioner is a NEET qualified candidate whose name is found the list provided by CENTAC, Puducherry.

Dr. Muneer Kuttipalakkal (PG Diploma)	W. P. No. 6522 of 2018 39284 801.3519	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
Dr. Guttikonda Bhamini Chowdary (PG Diploma)	W. P. No. 6523 of 2018 43791 776.7348	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
Dr. Sharanya Shankar (PG Diploma)	W. P. No. 6524 of 2018 69465 647.0741	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
Dr. Shanmugapriyan N	W. P. No. 6525 of 2018 70304 640.4904	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.

Dr. Charu Nagarjun SR (Revised List)	W. P. No. 6526 of 2018		Writ Petitioner is a NEET qualified candidate whose is found the list provided by CENTAC, Puducherry.
	68963	650.8855	
	S. No. 1714 (Pg No. 35)		



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Dr.Fawaz Mohammed Manu (PG Diploma)	W. P. No. 6527 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017
	63974	656.4922	
Dr. Rajith Salim	W. P. No. 6528 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017
	72017	626.6401	
Dr. Nilavazhagan A	W. P. No. 6529 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017
	63410	682.5282	
Dr. Ranjithkumar. T	W. P. No. 6530 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017
	50656	741.5791	

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Dr. Tamizharasan M	W. P. No. 6531 of 2018 53696 727.0644	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017
Dr. Premkumar S	W. P. No. 6532 of 2018 55825 716.9878	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017
Dr. Sivani G (PG Diploma)	W. P. No. 6533 of 2018 42777 782.1493	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017

WEB COPY

Dr. Sashi Kumar T (PG Diploma)	W. P. No. 6534 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5- 2017
	62799	666.1610	

ARUPADAI VEEDU MEDICAL COLLEGE & HOSPITAL,
PUDUCHERRY
PG STUDENTS (Writ Petitioners)

NAME	WRIT PETITION		DETAILS
Dr. Uidesh Yadav	W. P. No. 6512 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
	60714	683.6780	
Dr. Madhu P (PG Diploma)	W. P. No. 6513 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
	46356	763.8976	

Dr. Nishad Amrin H	W. P. No. 6514 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017 .
	41823	787.3878	
Dr. Ranjitha V	W. P. No. 6515 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
	55126	720.3643	
Dr. Venkatesh Poludasu	W. P. No. 6516 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017 .
	38974	803.0353	
Dr. Suganya S	W. P. No. 6517 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
	62447	686.8515	

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Dr.Chandan Prakash.A (PG Diploma)	W. P. No. 6518 of 2018		Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017 .
	52716	731.8278	

Dr. Dhanush CML	W. P. No. 21255 of 2019		The name of the Writ Petitioner is found the List provided by CENTAC, Puducherry. But, MCI in the Discharge Letter dated 24-7-2017 & 22-12-2017 had not removed his name.
	24348	888.2490	
	S. No. 820 (Pg No. 144)		

MAHATMA GANDHI MEDICAL COLLEGE & RESEARCH INSTITUTE, PUDUCHERRY
PG STUDENTS (Writ Petitioners)

NAME	WRIT PETITION	DETAILS
Dr.C.Vidhya	W.P.No.15558 of 2018 S.No.1609 in the Revised List	The name of the Writ Petitioner is found the list provided by CENTAC, Puducherry. This has been admitted by the Coordinator, CENTAC who had addressed a letter dated 6-6-2018 (Pg No.59).

NAME	WRIT PETITION	DETAILS
Dr.Sampath Kumar Appuchami	W.P.No.15559 of 2018	The Writ Petitioner had paid the CENTAC Counseling Fee on 29-5-2020 (Pg.No.16) and could not attend the counseling in view of confusion at CENTAC due to the visit of Lt. Governor of Puducherry in Counseling venue.
Dr.Santhiya R	W.P.No.15560 of 2018	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.
Dr.Vaishnavi Dhanasekaran	W.P.No.15561 of 2018 S.No.1716 in the Revised List	The name of the Writ Petitioner is found the list provided by CENTAC, Puducherry. This has been admitted by the Coordinator, CENTAC who had addressed a letter dated 6-6-2018 (Pg No.59).

NAME	WRIT PETITION	DETAILS
Dr.Dharendra Prasad S.P. (PG Diploma)	W.P.No.15562 of 2018	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5-2017.

NAME	WRIT PETITION	DETAILS
Dr.Rekha Sankar (PG Diploma)	W.P.No.15563 of 2018 S.No.1672 in the Revised List	The name of the Writ Petitioner is found the list provided by CENTAC, Puducherry. This has been admitted by the Coordinator, CENTAC who had addressed a letter dated 6-6-2018 (Pg No.59).
Dr.Rino Sriram	W.P.No.15564 of 2018 S.No.1569 in the Revised List	The name of the Writ Petitioner is found the list provided by CENTAC, Puducherry. This has been admitted by the Coordinator, CENTAC who had addressed a letter dated 6-6-2018 (Pg No.59).
Dr.G.M.Priyava- dhana	W.P.No.15565 of 2018	The Writ Petitioner had paid the CENTAC Counseling Fee on 29-5-2020 (Pg.No.14) and could not attend the counseling in view of confusion at CENTAC due to the visit of Lt. Governor of Puducherry in Counseling venue.

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NAME	WRIT PETITION	DETAILS
Dr.Rakhi Sankar (PG Diploma)	W.P.No.15566 of 2018 S.No.1427 in the Revised List	The name of the Writ Petitioner is found the list provided by CENTAC, Puducherry. This has been admitted by the Coordinator, CENTAC who had addressed a letter dated 6-6-2018 (Pg No.59).
Dr.Abi Sindhuja D	W.P.No.15567 of 2018	Writ Petitioner is a NEET qualified candidate who approached the Medical College for admission to the Vacant Seat on 31-5- 2017.
Dr.S.Preeti	W.P.No.15568 of 2018	The Writ Petitioner had paid the CENTAC Counseling Fee on 29-5-2020 (Pg.No.15) and could not attend the counseling in view of confusion at CENTAC due to the visit of Lt. Governor of Puducherry in Counseling venue.

- The order passed by the Hon'ble Supreme Court in the Education Promotion Society of India case will only apply in cases of Deemed Universities. The Deemed University is bound to make admissions only on All India basis and any admission made under the State Quota will not apply to the Deemed Universities.
- The merit list that was sent by CENTAC was received only on the last day and it did not contain any particulars or contact numbers of the candidates in order for the institutions to get in touch with them and therefore, the institutions proceeded to admit the candidates who reported to the college and whose names were found in the merit list.
- The explanation given by the concerned Deemed

Universities was not even taken into consideration by MCI and the discharge was made in a mechanical fashion.

- The order of discharge had civil consequences and it should not have been made without affording sufficient opportunity to the institutions and the candidates.

19. The above submissions were broadly adopted by the learned counsel appearing on behalf of the other petitioners representing the institution/candidates. The only additional submissions made by them was by way of explaining the facts involved in the particular Writ Petitions.

20. Mr. V.P. Raman, learned Standing Counsel appearing on behalf of the MCI made the following submissions:

- The discharge orders were passed by the MCI only on the ground that the admissions were made in violation of Regulation 9A.
- During the counselling for the academic year 2017-18, everyone was proceeding under the impression that the judgement of the Hon'ble Supreme Court in Dar-us-alam occupied the field and the institutions have also participated in the counselling upto the stage of filling up the stray vacancies only on the impression that Dar-us-alam judgement holds the field.
- The judgement of the Division Bench of this Court made in W.A. No. 494 and 500 of 2020, dt. 13.08.2020, makes it very clear that the institutions do not have any unilateral authority/liberty to admit candidates on their own if a seat is left vacant. To substantiate this submission, the learned Standing Counsel specifically relied upon the following portions in the judgement:

"61. We have considered the submissions raised and we find that on a reading of paragraphs (4) and (7) of the order in the case of Dar-Us-Slam Educational Trust (supra), the only option left after the Mopping Up phase is to take admissions from a list sent by the designated authority in order of merit, which has to be in the ratio of 1:10, keeping in view the number of vacancies. No Institution

has been granted any further liberty to undertake admissions if a stray seat is left vacant. The authority lies with, as in the present case, the CENTAC which is the Counselling Authority. There is no liberty or residual power given to the Institution to admit students on their own.

62. Shri N.L.Rajah, learned Senior Counsel, has pointed out that any provision not made for by the Hon'ble Supreme Court can still be adopted by the CENTAC and the Medical Council of India to facilitate filling up of stray vacancies, for which his argument is that those candidates who were already given an opportunity in the first and second round of counselling as well as the Mopping Up phase, should not be included in the 1:10 ratio list for filling up of stray vacancies. He submits that this situation was not taken into account nor any decision was rendered by the Hon'ble Supreme Court in such a peculiar situation and therefore, there is no such prohibition either on the Medical Council of India or the CENTAC to follow this system, thereby eliminating the mistake in sending of the list of 1:10 ratio. To buttress his submissions, he points out that an attempt made in this very case to send the list of forty candidates of high merit has turned out to be an unsuccessful attempt in attracting even a single candidate and on the other hand, such a system deprives admission to deserving candidates, who are otherwise even though down below yet from the same merit list prepared by the NEET.

63. We cannot accept this argument as this would be adding and supplementing something what has not been provided for either in the Regulations or in the directions of the Apex Court in the case of Dar Us-Slam Educational Trust (supra) or even in the case of Akshita Singh (supra). The entire

process of admissions is being conducted upon the directions so issued and therefore, to prescribe another mode of merit as suggested by learned counsel would be crossing the limits as prescribed by the Apex Court and the Regulations which hold the field today.

64. The direction in the communication dated 27.8.2018 accompanying the list of forty candidates, in the last sentence categorically recites that the Colleges are requested to fill the stray vacancies in order of merit from the 1:10 list only. This restriction was thrown over board by the College and in the event any such alteration is desirable as suggested by the learned counsel, then the same can only be by way of an amendment either in the Regulations or a clarification from the Apex Court in this regard. This Court cannot issue any such direction which may run counter to the directions issued by the Apex Court and which powers may have been exercised by the Apex Court under Article 142 of the Constitution of India. Any alteration in the scheme therefore so prescribed has to abide by the directions of the Apex Court.

65. The argument of learned counsel for the appellants that something which is not prohibited should be presumed to be permitted has to be answered in the negative by categorically holding that whatever has not been provided for by the Apex Court cannot be presumed to be permitted, inasmuch as, the entire exercise undertaken by the Apex Court was to ensure that Colleges are prevented from taking admissions on their own and they have to abide by the admission process already in place".

- The Private Self-Financing Institutions and the Deemed Universities have taken a completely different stand in terms of the availability of the merit list. The Private Institutions have stated that they did not receive any merit list to fill up the stray vacancies and the Deemed Universities have taken a stand that such a list was circulated to the concerned universities.
- Once there is a mismatch between the CENTAC list and the list sent by the concerned college and the list contains the names of candidates not found in the CENTAC list, it is in direct violation of Regulation 9A and the concerned candidates must necessarily be discharged.
- In all the Writ Petitions, the institutions have proceeded to fill up the stray vacancy on their own without placing reliance upon the merit list prepared by the CENTAC and such admissions are per se illegal.
- Wherever it was found that the names of the candidates were found in the CENTAC list and they were allotted seats in the respective institutions, their names were either dropped from the discharge order or the same was quashed by this Court, on the same being established.
- If the institutions are not having the particulars of the candidates whose name is found in the CENTAC list, they can only report the same to CENTAC and that does not give a ground to fill up the vacancies with their own candidates.
- There are absolutely no grounds to interfere with the discharge orders passed by the MCI and the petitioners cannot claim equity since they were allowed to continue with the course only by virtue of interim orders.

21. Mr. Ramesh, learned Additional Government Pleader appearing on behalf of CENTAC made the following submissions:

- The names of the candidates in the All India List only indicates the qualification to participate and it is only the Merit List prepared by CENTAC, which can be the basis for filling up the vacancies.

- The institutions have adopted a modus operandi whereby they have denied admissions to candidates who were given provisional allotment to the respective colleges under the Government Quota/Management Quota during the first round, second round and mop-up counselling and these vacant seats were not brought to the knowledge of CENTAC. These seats were kept vacant till the mop-up counselling was over and ultimately it was filled up as a stray vacancy on 31.05.2017. Therefore, the entire admission is illegal.
- A criminal case was pending against the Institutions as well as the CENTAC officials and it was investigated by the CBI. The Final Report has been filed against the College Authorities and the CENTAC officials have been exonerated. The colleges have collected exorbitant fees from the candidates and they have been admitted and the candidates have connivance in the entire illegal admissions done by the college authorities.
- The admission that was done by the institutions was in violation of Regulation 9A and therefore, the MCI was perfectly right in discharging the candidates.
- The institutions have adopted various techniques to keep the seats vacant, without informing the same to CENTAC and ultimately filled up the seats on the last day according to their own "whims and fancies".
- Insofar as the candidates in W.P. No.s 8473 of 2020 and 9106 of 2020, they have not been admitted from the CENTAC list and it was not even informed to MCI and as a result of the same, the MCI was not aware of the illegal admission. This was ultimately detected by the Pondicherry University and the admission of these candidates can never be regularized.
- After the mop-up counselling was conducted on 29.05.2017, a list containing 1718 candidates was prepared for the purpose of filling up the stray vacancies and a counselling was conducted on 31.05.2017. The institutions however, did not fill the vacant seats from this list. Therefore, the admissions are in violation of Regulation 9A.

22. Mr. M. Ravi, learned counsel appearing on behalf of the Pondicherry University adopted the arguments of Mr. V.P. Raman and Mr. Ramesh.

23. Mr. V.B.R. Menon, made the following submissions:

- The petitioners in W.P. No. 31921 of 2017, were duly selected during the common counselling and they have also deposited the fees as advised by CENTAC at the time of common counselling, but, however, they were refused to be admitted in the colleges since an additional fee to the tune of Rs.30,00,000/- 40,00,000/- was demanded and it was not paid.
- The petitioners had deposited a sum of Rs.10,00,000/- each with CENTAC pursuant to the directions issued by this Court and inspite of the same, the petitioners did not get any admission during the academic year 2017-18.
- Even though the petitioners may not be able to get the relief of admission since the academic year 2018-19 is already over, they will be entitled for the relief of compensation from the concerned institutions since they were deprived of a seat during the academic year 2017-18.
- The admission of candidates was made by the institutions in total violation of the Regulations and no equity can be claimed by them and all their admissions are liable to be terminated and they must be discharged. Only then, these violations will not repeat itself in future.
- The order passed by the Division Bench dt. 12.02.2018, made in W.P.No.17325 of 2017, was modified subsequently in W.M.P. No. 4470 of 2018, by order dt. 21.02.2018, wherein, liberty was granted to raise the issue of admission independently without being influenced by the earlier order passed by the Division Bench.
- CENTAC had already filled-in all the clinical seats during the common counselling held during May 2017 and the entire vacancy of 45 seats at the end of the common counselling was only for non-clinical courses. However, the entire vacancy was filled up by the institutions in the clinical courses and thereby, the legitimate admissions that were given to the candidates who were successful during counselling, was snatched from them and ultimately, given to candidates whose names were not even found in the merit list prepared by CENTAC.

- The illegal admissions should never be regularized and admissions without undergoing common counselling under Regulation 9A are null and void. To substantiate this submission, the learned counsel relied upon the judgment of the Hon'ble Supreme Court in State of Madhya Pradesh v. Jai Narayan Chouksey & Others reported in (2016) 9 SCC 412.

24. Mr. Sriram Panchu, learned Senior Counsel appearing on behalf of the 11th Respondent institution in W.P. No. 31921 of 2017, made the following submissions:

- The relief claimed in the Writ Petition has become infructuous and the petitioners are not entitled for any of the reliefs claimed in the Writ Petition.
- The petitioners cannot agitate for compensation by filing a Writ Petition since it involves a question of fact and it can be agitated only before the competent civil forum.
- Insofar as the fee that is charged by the institution is concerned, a Writ Petition is already pending before the Hon'ble Division Bench in W.P. No. 14232 of 2017, it is also pending consideration before the Hon'ble Supreme Court in W.P. (C) No. 949 of 2018 and the same cannot be gone into in the present Writ Petition.
- The counselling that was held on 31.05.2017, is invalid insofar as the 11th Respondent is concerned since it is a Deemed to be University and the counselling can be conducted only as per the All India Merit List.
- Once the candidates do not pay the requisite fees, their admission automatically gets lapsed and it falls vacant and therefore, the petitioners cannot claim the right of admission without paying the fees.
- The 11th Respondent does not come within the purview of the Fee Committee and the fee structure has been clearly displayed in the prospectus and also the website of the Deemed University well before the commencement of the counselling. If this fee is not paid, the candidate is not entitled for admission in the institution. The subsequent direction issued by this Court was not able to be complied with since the

seats were by then filled-up. This was also informed to this Court during the pendency of the Contempt Petition.

- There are absolutely no merits in the Writ Petition and the same is liable to be dismissed.

25. The counsel appearing on behalf of the institutions in W.P. No. 31921 of 2017, broadly adopted the arguments made by Mr. Sriram Panchu.

26. This Court has carefully considered the submissions made by either side and the materials available on record and also the written submissions filed by the respective counsel appearing for the petitioners and the respondents.

27. Medical education in India is monitored very closely by the Hon'ble Supreme Court and in fact fixing of deadlines, bringing in the concept of the mop-up counselling, filling up of stray vacancies etc., are all clear signs of judicial intervention into medical education. Many of the directions issued by the Hon'ble Supreme Court was also subsequently incorporated as a Regulation and given the force of law by the MCI. The Hon'ble Supreme Court through various judgements has ensured that when it comes to medical education, merit can never be compromised. This is more so when it comes to post-graduation and super-specialties. Merit as a criterion has been given so much of prominence in medical education since the doctors who ultimately come out after completing the course, will be dealing with the lives of people. Therefore, there cannot be any compromise on merit and this is one field where mediocrity should never be encouraged. It would be better even if some seats go unfilled and wasted rather than filling up such seats with unmeritorious candidates. That will lead to compromising the precious lives of the citizens of this Country. Having said this, on various occasions, the judiciary had shown misplaced sympathy on unmeritorious candidates through interim orders and that has proven to be counterproductive more particularly when it comes to medical education. The Hon'ble Supreme Court has frowned upon this attitude time and again and has repeatedly held that no misplaced sympathy should be shown in cases of this nature.

28. This Court is starting to deal with the case with the above prelude since the fate of nearly 65 doctors who had undergone the P.G Courses in various institutions, is going to be decided by this Court. These are Writ Petitions filed during the year 2018 and the parties should have taken effective steps to bring these cases to an end at the earliest. That would have ensured and given a clarity both to the candidates as well as the institutions as to where they stand. However, in spite of the MCI filing petitions for vacating the interim orders, for one reason or the other, hearing of the proceedings got postponed repeatedly. Ultimately, it reached a stage where all these candidates have completed the 3 year P.G. Course and have also written their final examinations and what remains is only the publication of the results, which will be subject to the result of these Writ Petitions. To an extent, this Court also should take the blame on itself for having taken such a long time to hear these cases finally and render the judgement. During the start of every academic year, apart from the institutions and candidates, this Court also gets very busy since writ petitions get piled up on various issues and many times interim orders are passed by the Court to strike a balance. It will be more appropriate for this Court to give priority to education cases and complete it as early as possible since the delay will ultimately bring in new challenges to this Court because the candidate would have completed the course by virtue of the interim order and will be claiming equity before this Court. A situation like that actually puts the Court in a state of quandary.

29. In the present case, the discharge orders passed against the candidates was stayed by this Court in the year 2018 and as a result of the same, the candidates were allowed to complete the course. The cases got revitalized in the year 2020 since the candidates wanted to take the examination. By virtue of interim orders, again the candidates have been permitted to write the examinations also. If these cases had been heard and disposed of in the year 2018, this Court would have simply had to look into the only aspect as to whether the admissions were made in accordance with the Regulations. If it was not made in accordance with the Regulations, this Court would have upheld the discharge orders of the MCI and the story would have ended there. However, the Writ Petitions are taken up for final hearing only in the year 2020 and by then the candidates have completed the course and also written the examinations. Therefore, while deciding the case, apart from the

merits of the case, the time spent by the candidates for completing the course and writing the examinations, stares at the face of this Court. To that extent, it makes the job of this Court even more difficult. Of course, this is more self-inflicted and this Court should have given some priority and completed these cases in the year 2018 itself. Unless one accepts the mistakes, there is no chance for improvement and evolution. This Court must take a cue from this case and ensure that all education cases are disposed of within the same academic year in which it is filed by giving more priority to such cases. This Court must also be doubly careful while granting interim orders. Since by virtue of interim orders, candidates complete the course and write examinations and equity starts going in their favour. Fortunately, in this case, while interim orders were passed by this Court, staying the discharge orders passed by the MCI, this Court made it very clear that the Petitioners will file affidavits to the effect that they will not claim any equity on the ground of the interim orders passed in their favour. Therefore, every petitioner was fully aware of the fact that they cannot take advantage of the interim order and ultimately the case will be decided only on merits and their completion of the courses and writing of examinations, will not come in the way of this Court deciding the Writ Petitions purely on merits. Some effort was made by the learned Senior Counsels appearing on behalf of the Institutions, as a part of their advocacy skills, by impressing upon this Court that the candidates have completed the P.G. Course and some are even standing as frontline warriors in the fight against COVID-19 and the same should be taken into consideration by this Court while deciding these Writ Petitions. On the first blush, such submissions are very attractive and it also touches upon the sensitiveness of this Court. However, this Court is making it very clear that the completion of the course, writing examinations or treating patients with COVID-19, is not going to any way sway this Court in deciding these Writ Petitions only on merits. This is more so, since the Petitioners undertook that they will not claim any equity by virtue of the interim orders passed in their favour. Since the matter involves Post-Graduation Courses, this Court is not willing to compromise on merits and get swayed by other considerations.

30. On a close scrutiny of the facts of the present case, it is seen that even after the mop-up counselling was held on 29.05.2017, there was yet another counselling that took place on 31.05.2017 for State Quota seats, to fill-up the vacancy in the Self-Financing Colleges. It is clear from the report of CENTAC that during the mop-up counselling that was

held on 29.05.2017, the entire seats were taken away by All India Quota candidates. Therefore, it was thought fit to have another counselling on 31.05.2017, to fill up the State Quota in the Self-Financing Colleges and all the institutions participated in the said counselling. It is also very clear that the CENTAC prepared a Merit List during the mop-up counselling which initially contained the names of 1827 candidates and thereafter, it was increased to 1861 candidates after the percentile cut-off was brought down. Thereafter, one more Merit List was prepared by CENTAC containing the names of 1718 candidates, who were available for the Self-Financing Institutions to fill up the stray vacancies.

31. It is very surprising that on the one hand, the Self-Financing Institutions affiliated to Pondicherry University have taken a stand to the effect that no merit list was available from CENTAC for filling up the stray vacancies. On the other hand, the learned Senior Counsel appearing on behalf of the Institutions falling under the category of "Deemed to be University" specifically took a stand that there was a merit list prepared by CENTAC containing the names of 1718 candidates. The said list was also circulated to this Court at the time of hearing. This stand was supported by the learned counsel appearing on behalf of CENTAC. Therefore, it is very difficult for this Court to agree with the stand taken by the Self-Financing Institutions affiliated to Pondicherry University regarding the non-availability of the Merit List. In the light of the merit list itself having been produced before this Court, and not being disputed by the Institutions falling under the category of "Deemed to be University", this Court finds that a Merit List was prepared by CENTAC containing the names of 1718 candidates.

32. The main stand that has been taken by the institutions/candidates can be summarized as follows:

- a. An announcement was made by the Government of Puducherry (CENTAC) on 30.05.2017, to the effect that any eligible NEET candidate can attend the counselling on 31.05.2017 and that 71 seats were available under the Government Quota for P.G. Medical Courses;
- b. Many candidates went to CENTAC after this announcement was made and they were asked to approach the concerned institutions and seek admissions in the available vacancies;

c. The institutions were not in a position to get in touch with any of the candidates since their contact details and other particulars were not available and therefore, whoever approached the institutions were accommodated in the available vacancies. The names of these candidates were available in the All India Merit List that was prepared showing the persons who have qualified in the NEET examination. Therefore, merit was not compromised;

d. The order passed by the MCI discharging the candidates was in violation of the principles of natural justice and it was done without providing sufficient opportunity and even without considering the explanation given by the institutions;

e. The counselling that was said to have been conducted on 31.05.2017, to fill up the State Quota will not bind the institutions coming under the "Deemed to be University" Category since, as per the judgement of the Hon'ble Supreme Court in Education Promotion Society of India Case, where it held that counselling process shall be based only on All India Merit List;

f. In respect of some of the candidates who have been discharged, their names find place in the Merit List prepared by CENTAC; and

g. The admission of the candidates has been justified by giving reasons and this will be dealt with by this Court while considering the claim of each institution independently.

33. The main stand that has been taken by CENTAC and MCI can be summarized as follows:

a. Candidates can be admitted only from the merit list prepared by CENTAC through common counselling and any other admissions made will be in violation of Regulation 9A;

b. All the institutions have participated right from the first counselling upto the counselling for filling up stray vacancies and in spite of it, they have gone ahead and filled up the vacancies on their own during the last day of the counselling i.e. on 31.05.2017;

c. The institutions do not have any unilateral authority/ liberty to admit candidates on their own, if a

stray seat is left vacant and such vacant seats will remain to be vacant;

d. There are cases where some of the candidates got admission during the first round of counselling and they did not join and this was not reported to CENTAC and ultimately, these candidates were accommodated in different institutions for a different course on 31.05.2017;

e. Candidates who were allotted non-clinical courses in the CENTAC counselling were allotted clinical courses by the institutions on their own on 31.05.2017;

f. Once the name of the student submitted by the institution does not match with the Merit List provided by CENTAC, the admission itself is deemed to be in violation of Regulation 9A and where no proper explanation is forthcoming, the student is liable to be discharged. No more enquiry is contemplated and the orders do not suffer from violation of principles of natural justice; and

g. The All India Merit List only provides the qualification for participating in the counselling and the real eligibility to participate comes only from the Merit List prepared by CENTAC.

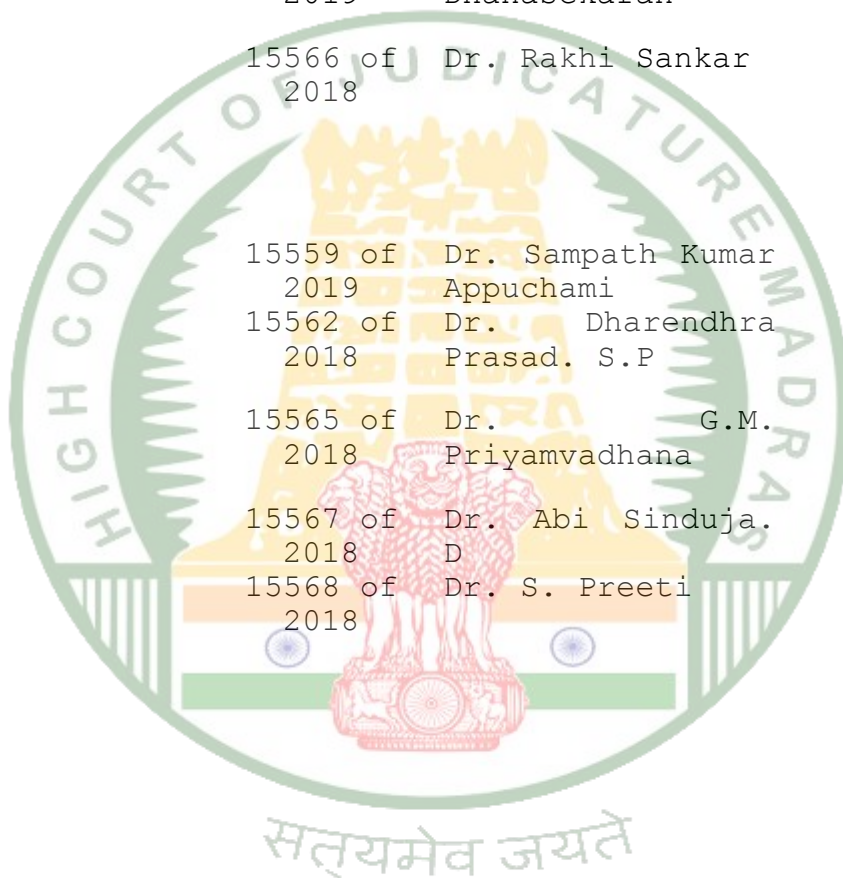
34. As per the admission schedule provided by the MCI, in line with the directions issued by the Hon'ble Supreme Court, the first round of counselling for P.G. courses must get over by the first week of April. The second round of counselling must get over by the last week of April. The mop-up round of counselling must get over by the end of May. In the present case, the first round of counselling itself started only in the first week of May. This is in complete violation of the guidelines given by MCI. This is not peculiar to the present case, and every year this Court is able to see that there is a huge delay even to start the first round of counselling and everything is rushed up by the time it reaches the stage of mop-up counselling. It is not known as to whether such a confusion is created for any valid reasons or it is intentionally done to help the Self-Financing Institutions to take advantage of the last-minute chaos and admit candidates on their own. Such a doubt is entertained by this Court since it happens year after year. Whatever may be the situation, no candidate can be admitted in any institution for a P.G. course otherwise through a common counselling. This is mandatory as per Regulation 9A of the MCI Post-Graduate Regulations, 2000.

35. The following tabulation will give a fair idea as to how many candidates found their names in the Merit List published by CENTAC:

S.No.	Institute	Writ Petition No.	Name of Candidates discharged/ not recognized by Pondicherry University	S.No. of Candidate in Final CENTAC Merit List containing 1718 candidates	—
1.	Pondicherry Institute of	1287 of 2018	Dr. Bhuvaneswary. S	1691	
2.	Medical Sciences		Dr. Jamuna. S.K Dr. Jamuna. J	1656	
3.	(PIMS)		Dr. Niranjana Kumar. N	1686	
4.			Dr. Sujith. M Dr. Prem Sai.T	1455	
5.			Dr. Mohammed Ali Fazil	1677	
6.			Dr. Pratheesh Chandran. R		
7.			Dr. Manjukumar Dr. Nithin Polo	NA	
8.			Joe Theckumparampil		
9.			Dr. Kishanth. T Dr. M. Arun Sundaram		
10.					
11.					
12.		9106 and	Dr. Priya Acka		
13.		9583 of 2020	Thomas		

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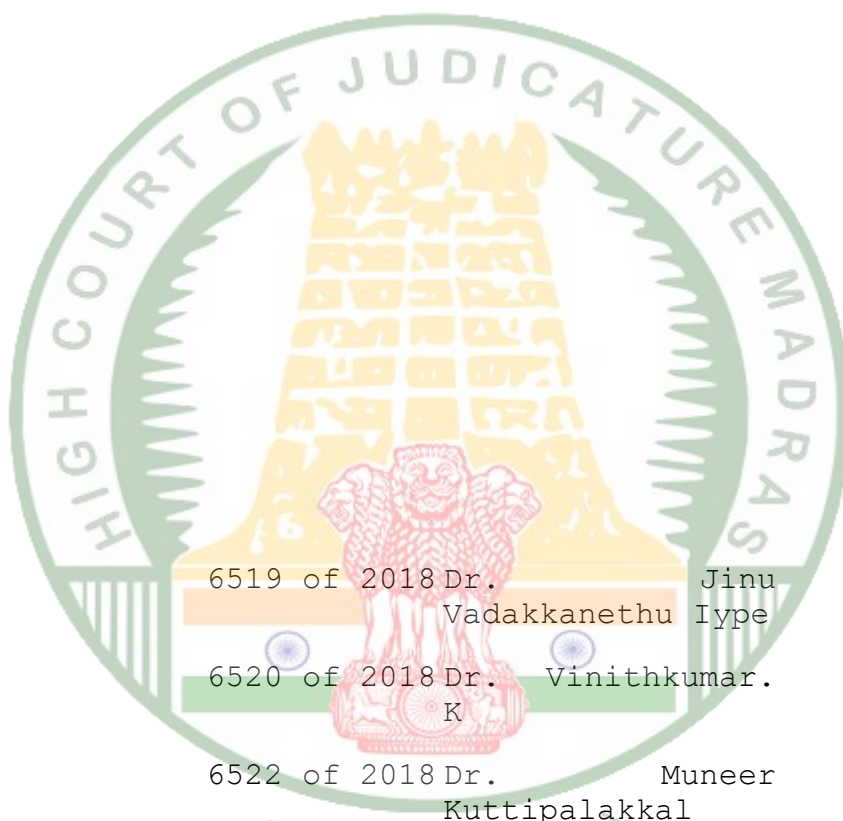
14.	Mahatma Gandhi	15558 of	Dr. C. Vidhya	1609
	Medical	2018		
15.	College and	15560 of	Dr. Santhiya. R	233
16.	Research	2018		
17.	Institute	15563 of	Dr. Rekha Sankar	1672
	(MGMCRI)	2018		
18.		15564 of	Dr. Rino Sriram T	1589
		2018		
19.		15561 of	Dr. Vaishnavi	1716
20.		2019	Dhanasekaran	
21.		15566 of	Dr. Rakhi Sankar	1427
22.		2018		
23.				
24.				
		15559 of	Dr. Sampath Kumar	
		2019	Appuchami	
		15562 of	Dr. Dharendhra	
		2018	Prasad. S.P	
		15565 of	Dr. G.M.	
		2018	Priyamvadhana	NA
		15567 of	Dr. Abi Sinduja.	
		2018	D	
		15568 of	Dr. S. Preeti	
		2018		



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25.	Vinayaka	6526 of 2018	Dr. Charu	1714
26.	Missions		Nagarjun. S.R	
27.	Medical	6521 of 2018	Dr. Anantha Priya	1718
28.	College and			
29.	Hospital			
	(VMMCH)			

30.
31.
32.
33.
34.
35.
36.
37.
38.
39.
40.



6519 of 2018 Dr. Jinu
Vadakkanethu Iype

6520 of 2018 Dr. Vinithkumar.
K

6522 of 2018 Dr. Muneer
Kuttipalakkal

6523 of 2018 Dr. Guttikonda
Bhamini Chowdary

6524 of 2018 Dr. Sharanya
Shankar

6525 of 2018 Dr.
Shanmugapriyan.N

6527 of 2018 Dr. Fawaz
Mohammed Manu

6528 of 2018 Dr. Rajith Salim

6529 of 2018 Dr. Nilavazhagan

NA

41.	Arupadai Veedu	21255 of	Dr.	Dhanush.	785
42.	Medical	2019	C.M.L		
43.	College and				
44.	Hospital				

45. (AVMCH)

46.

47.

48.

6512 of 2018 Dr. Uidesh Yadav

6513 of 2018 Dr. Madhu. P

6514 of 2018 Dr. Nishad Amrin

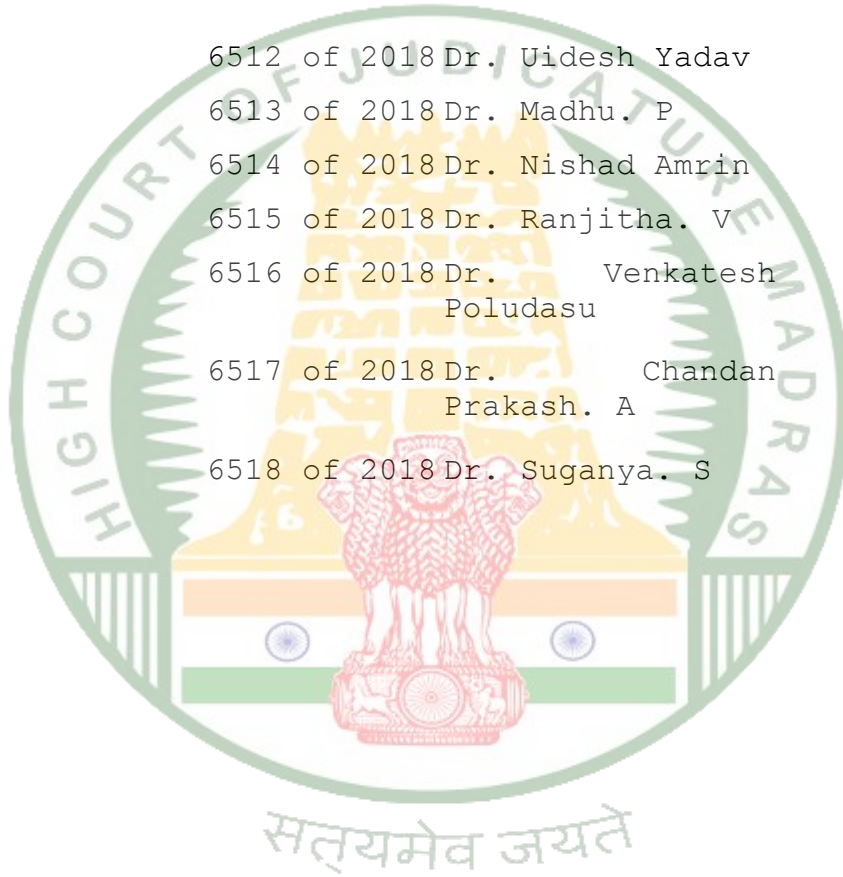
6515 of 2018 Dr. Ranjitha. V

6516 of 2018 Dr. Venkatesh
Poludasu

6517 of 2018 Dr. Chandan
Prakash. A

6518 of 2018 Dr. Suganya. S

NA



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49.	Sri Manakula	Dr. M. Romans	1712
50.	Vinayagar	Dr. Rintu George	1706
51.	Medical	Dr. Guru Avinash	1697
52.	College and	G	1139
53.	Hospital	Dr. Balaji	1640
	(SMVMCH)	Venkateswaran. M	1638
54.		Dr. Venkatesh R	
55.		Dr. Sri Ramya	
56.		Devi V	
57.	3259 of 2018	Dr. Srinath Sarma	1711
58.		Dr. Harsh Avinash	
59.		Thappa	
		Dr. Pooja R.	
	8473 of 2020	Dr. S. Pratheep	NA
		Dr. K. Isvarya	
		Srii	
60.	Sri	6623 of 2018 Dr. Satthishh	
	Venkateswara	Egappan A.R.	
61.	Medical	6624 of 2019 Dr. Britto Sabu	
62.	College (SVMC)	6625 of 2018 Dr. Maria	
63.		Alexander	NA
64.		6626 of 2018 Dr. Gopinath	
		Subbaian	
		and 9336 of	
		2020	
65.	4016 of 2018	Dr. Keerthana	
		S.R.	

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36. The above tabulation shows that out of 65 candidates, only the names of 19 candidates are reflected in the merit list prepared by CENTAC. It will therefore, be appropriate to analyze

the justification given by the institutions/candidates and see if those justifications are valid and in line with the MCI Regulations.

Sri Venkateswara Medical College and Candidates admitted in this institution covered in W.P. Nos. 1155, 6623- 6626, 4016 of 2018 and 9336 of 2020.

37. There are totally 5 candidates whose discharge has been reiterated by MCI. The names of these 5 candidates are not found in the merit list prepared by CENTAC. The petitioner institution had 38 P.G. seats. This included 2 seats in Obstetrics and Gynecology and Bio-Chemistry sanctioned by MCI. According to the petitioner, only 1 seat each in the said 2 disciplines was part of the counselling. In other words, counselling took place only for 36 seats. Even though this is raised in the affidavit, there is nothing to show that the institution approached CENTAC to rectify this alleged error and non-inclusion of 2 seats in the counselling. Therefore, the petitioner institution on its own has admitted 5 candidates against the vacancies. The only justification given is that even after the CENTAC conducted the mop-up counselling, no candidate reported to the institution till 5 p.m. on 31.05.2017 and therefore, the institution proceeded to admit 5 NEET qualified candidates who approached the institution. Even the explanation given by the institution on 05.08.2017, reiterated the same stand. The candidates recommended and forwarded by CENTAC to the petitioner institution, not joining the institution, is not a ground for the institution to unilaterally fill-up the vacancy. It is the duty of the institution to inform about the same to CENTAC and thereafter, these vacancies will be carried forward to the subsequent rounds of counselling for filling up the vacancies. Admittedly, that has not happened in the present case. The 5 candidates do not form part of the Merit List prepared by CENTAC and they were not allotted to the petitioner institution through common counselling and on the face of it, the admission of these 5 candidates is in direct violation of the Regulation 9A. The petitioner institution did not have the right to admit the candidates on its own. That position has been made very clear in the Division Bench judgement in W.A. Nos. 494 and 500 of 2020, referred supra. Incidentally, looking at the vacancy position, it is seen that there were 11 non-clinical course vacancies and 5 clinical course vacancies available in the institution and the institution has unilaterally filled up the 5 clinical course vacancies through these 5 candidates, not allotted by CENTAC. Therefore, there is absolutely no justification for the

institution to have admitted these 5 candidates unilaterally and the justification given by the institution/ candidates is not acceptable to this Court. Hence, this Court does not find any ground to interfere with the impugned discharge Order passed by the MCI.

Pondicherry Institute of Medical Sciences and Candidates admitted in this institution covered in W.P. Nos. 1287 of 2018, 9106 and 9583 of 2020.

38. There are 3 categories of admissions made by this institution. The first category which contains 5 candidates, were candidates who were given provisional allotment in different institutions by CENTAC and they left those institutions and joined in the petitioner institution without any allotment by CENTAC, on 31.05.2017. The second category of candidates which again contains the names of 5 candidates, are candidates whose names were found in the CENTAC merit list, but they were not allotted to the petitioner institution and they have joined the course unilaterally in the petitioner institution. The third category of candidates which contains the names of 3 candidates are those candidates whose names were not even found in the CENTAC Merit List and they have been accommodated in the petitioner institution unilaterally.

39. The justification given by the petitioner institution is that NEET and common counselling were introduced for the first time and there was some confusion with regard to the procedure to be followed for admission of candidates. The next justification that is given is that no proper opportunity was given to the institution before the candidates were discharged by the MCI and no reasons have been assigned by the MCI for discharging the candidates in spite of the explanation given by the institution. According to the petitioner institution, these are candidates who reported to the institution on instructions issued by CENTAC and they are meritorious candidates whose admissions cannot be interfered with by MCI.

40. A careful scrutiny of the vacancy position that was available in the petitioner institution shows that there was only 1 clinical course vacancy and the rest were all vacancies in non-clinical courses. But what the petitioner institution has ultimately done is that they have managed to fill nearly 11 clinical course vacancies on 31.05.2017 and 2

non-clinical course vacancies, by adopting this method of accommodating candidates on 31.05.2017, unilaterally without any allotment from CENTAC.

41. Insofar as the first category of candidates are concerned, they are candidates who were allotted seats in different institutions and if they do not join in those institutions, it must be informed to CENTAC and unless and otherwise these candidates are allotted seats in the petitioner institution by CENTAC, they cannot unilaterally be admitted by the petitioner institution. This procedure goes totally contrary to the Regulations and the explanation given by the petitioners is totally unacceptable. Any admission that takes place without the allotment of CENTAC must be held to be illegal and if institutions are given a free hand in this regard, it will be an open to all and the admissions can be easily manipulated like in the present case where the records available before CENTAC shows that there is only one clinical course vacant and the petitioner institution manages to fill-in 11 candidates in the clinical courses by adopting a skewed procedure. This goes totally against Regulation 9A.

42. The second category of candidates found their names in the merit list prepared by CENTAC, but they were not allotted seats in the petitioner institution and according to the petitioner institution, CENTAC informed them to go and join the institutions. However, CENTAC has taken a very specific stand that none of the candidates were provided provisional allotment to the petitioner institution. Therefore, the explanation given by the petitioner institution and candidates is totally unacceptable.

43. The third category of candidates do not even find their names in the Merit List prepared by CENTAC and they have been unilaterally admitted in the petitioner institution. Surprisingly, one of the candidate named Dr. Priya Acka Thomas was found to be not in the Merit List by Pondicherry University and MCI was not even aware of the same. Therefore, the reasoning given by this Court in W.P. No.s. 1155, 6623- 6626, 4016 of 2018 and 9336 of 2020, will squarely apply insofar as these candidates are concerned.

44. The learned Senior Counsel appearing for the petitioner institution tried to impress upon this Court by submitting that the admissions at the best can only be held to

be irregular and not illegal or unauthorized and therefore, these admissions should not be interfered with by this Court at this length of time. In order to substantiate this submission, the learned Senior Counsel relied upon the judgement of the Hon'ble Supreme Court in various decisions. This Court is not in agreement with this submission made by the learned Senior Counsel. The admissions made by the petitioner institution is illegal and null and void since it is completely in violation of Regulation 9A and therefore, the judgements cited by the learned Senior Counsel cannot be applied to the facts of the present case and those are cases where the Court found the admission or the action to be merely irregular or suffering from impropriety. This Court holds that the admission made by the petitioner institution is illegal. The petitioner institution has attempted to play with the numbers with regard to the vacancies in an intelligent manner to suit its requirements and this Court is able to clearly see through the design.

45. In view of the above discussion, this Court does not find any ground to interfere with the impugned discharge Order passed by the MCI and the impugned letter issued by the Pondicherry University.

Sri Manakula Vinayagar Medical College and Hospital and Candidates admitted in this institution covered in W.P. Nos. 3259 of 2018 and 8473 of 2020.

46. There are 2 categories of candidates involved in this case. The first category of candidates totaling 10 in number, were discharged by the MCI and they are covered in W.P. No. 3259 of 2018. The second category of candidates are those who were not discharged by the MCI but who were later found by Pondicherry University, not to have fallen within the merit list prepared by CENTAC. There are two candidates in this category and they are covered in W.P. No. 8473 of 2020. Out of these 12 candidates, the names of 7 candidates finds place in the merit list prepared by CENTAC and the rest of the names do not form part of the merit list.

47. The justification given by the petitioner institution insofar as the candidates whose names are found in the Merit List, are concerned, they were candidates who approached the institution on the last day as per the instructions given by CENTAC and hence, they were given admission. The CENTAC has taken a very clear stand that these

candidates were not given any provisional allotment by CENTAC to join in the petitioner institution. Therefore, it must be held that these candidates have unilaterally joined in the petitioner institution.

48. Insofar as the other candidates are concerned, their names were not even found in the merit list prepared by CENTAC. Insofar as the 2 candidates involved in W.P. No. 8473 of 2020 are concerned, it was not even informed to the MCI and their admission was found to be illegal by the Pondicherry University.

49. A careful scrutiny of the vacancy position in the petitioner institution shows that there were only 2 vacancies in clinical courses and the rest of the vacancies were all of non-clinical courses. The petitioner institution, by adopting a very questionable procedure unilaterally has managed to give admission to nearly 11 candidates in clinical courses on the last day i.e. on 31.05.2017. Whereas, as per the records of CENTAC, only 2 clinical course seats remained vacant. This is clearly a case where the petitioner institution has attempted to intelligently play with numbers and justify the last minute admissions.

50. The reasonings given by this Court in the above Writ Petition, will also squarely apply to the facts of the present case. This Court finds the admission given to these candidates by the petitioner institution to be illegal and in complete violation of Regulation 9A.

51. In view of the above discussion, this Court does not find any ground to interfere with the impugned discharge Order passed by the MCI and the impugned letter issued by the Pondicherry University.

52. This Court will now venture into the cases involving the institutions falling under the category of "Deemed to be University". In none of the Writ Petitions falling under this category, CENTAC has cared to file any counter affidavit and only written submissions have been filed by CENTAC which reveals their stand in all these cases.

Candidates admitted by Arupadai Veedu Medical College and Hospital covered in W.P. Nos. 6512-6518 of 2018 and 21255 of 2018.

53. There are totally 8 candidates whose admission has been put into question. Insofar as the petitioners in W.P. No. 6512-6518 of 2018 are concerned, their names are not found in the Merit List prepared by CENTAC. In this case, the submissions of the learned Senior Counsel, makes it very clear that the list prepared by CENTAC was available with the institution. The only defense taken by the institution is that these candidates approached the institution directly on 31.05.2017 and they were given admission by the institution. Even in the explanation submitted by the institution on 07.08.2017, they have only stated that there were no contact details available to get in touch with the candidates whose names were found in the Merit List and therefore, whoever approached the college were given admission. It is therefore, clear that the names of these petitioners were not found in the Merit List prepared by CENTAC and they were not allotted to join the petitioner institution and unilaterally the institution has proceeded to give them admissions. The reasoning given by this Court in all the above Writ Petitions will also squarely apply in the case of these petitioners. The admissions of these petitioners are found to be illegal and in total violation of Regulation 9A.

54. In view of the above discussion, this Court does not find any ground to interfere with the impugned discharge order passed by the MCI.

55. Insofar as the Writ Petitioner in W.P. No. 21255 of 2019 is concerned, his name is found in the Merit List prepared by the CENTAC. However, there is absolutely no material to show that he was allotted a seat in the institution.

Therefore, without an allotment, the institution has unilaterally admitted this candidate. Such admission has been held to be illegal by this Court in the above Writ Petitions and the same applies even insofar as this candidate is concerned.

56. In view of the above discussion, this Court does not find any ground to interfere with the impugned discharge order passed by the MCI.

Candidates admitted by Vinayaka Mission Medical College and Hospital covered in W.P. Nos. 6519-6534 of 2018.

57. There are totally 16 candidates involved in these Writ Petitions. Initially, 21 candidates were discharged by the MCI by impugned letter dt. 24.07.2017 and later it was reiterated for 16 candidates and they have filed the present Writ Petitions. Out of the 16 candidates, the names of only 2 candidates finds place in the Merit List prepared by CENTAC.

58. The defense taken by the petitioners is that they are all NEET qualified candidates and Deemed Universities are having an All India character. Even though, the list of candidates was circulated by CENTAC, none of the candidates from the list approached the institution and all these 16 candidates approached the institution on 31.05.2017 and they were given admissions. It is further claimed that the candidates were admitted only on the sanctioned strength as on 31.05.2017. According to the institution, the discharge Order passed by the MCI is in violation of principles of natural justice and even the explanation given by the institution was never taken into consideration and the MCI mechanically reiterated the discharge of 16 candidates.

59. It is seen from records that during the counselling, provisional allotment was given to 10 candidates under the Government Quota and 15 candidates under the Management Quota and none of the candidates who were allotted seats under the Government Quota were given admission by the college. The letters dt. 26.05.2017 and 05.10.2017 make it clear that the candidates who were allotted to the institution were either not admitted or did not report. That by itself will not give a cause of action for the institution to admit candidates unilaterally. Out of the 16 candidates, the names of 14 candidates are not found in the Merit List of CENTAC. Even insofar as 2 other candidates whose names are found in the Merit List are concerned, there is no allotment order given by CENTAC to join the institution. Therefore, all these candidates have been admitted in the college unilaterally and the same is completely in violation of Regulation 9A. The reasonings given by this Court in the above Writ Petitions will also squarely apply to the petitioners herein. This Court finds that the admissions of all the 16 candidates are illegal.

60. In view of the above discussion, this Court does not find any ground to interfere with the impugned discharge order passed by the MCI.

Candidates admitted by Mahatma Gandhi Medical College and Research Institute covered in W.P. Nos. 15558-15568 of 2018.

61. There are totally 11 candidates who are involved in these batch of Writ Petitions. According to the institution, 5 candidates were in the waiting list of CENTAC, 3 candidates had registered with CENTAC by paying counselling fees and the balance 3 candidates were admitted on 31.05.2017, in the available vacancies.

62. It is seen from records that out of the 11 candidates, 8 candidates were accommodated in P.G. Degree courses and 3 candidates were accommodated in P.G. Diploma courses. The written submissions of CENTAC reveals the fact that out of 11 seats for Diploma under Management Quota, 9 candidates were given provisional allotment and out of this, only 6 candidates were given seats. Therefore, admissions were not given for 3 candidates allotted by CENTAC. These 3 seats were given to the Writ Petitioners in W.P. No. 15562, 15566 and 15563 of 2018, by the institution. However, this was done without any provisional allotment made by CENTAC to the institution. The letter dt. 06.06.2018, addressed by the CENTAC to the Dean of the institution provides the names of 5 candidates, who are kept in the waiting list. Out of this, the names of the Writ Petitioners in W.P.Nos. 15563 and 15566 of 2018 are also found. Their names are also found in the Merit List prepared by CENTAC. The fact remains that these 3 candidates were not allotted by CENTAC to the institution and they have been admitted by the institution unilaterally.

63. It is further seen that out of 35 seats allotted under the Management Quota by CENTAC, only 33 candidates were admitted and 2 seats were kept vacant. Out of these 2 seats, 2 candidates have been admitted by the institution namely, the Petitioners in W.P. Nos. 15558 and 15561 of 2018. These 2 candidates also fall under the same category as the 3 candidates about whom this Court already discussed hereinabove. These 2 candidates have also been unilaterally admitted by the institution without any provisional allotment made by CENTAC.

64. As per the Regulations, 78 seats have been allotted to the institution for the P.G. Courses and out of this 50% of the seats come under the Government Quota and the balance 50% seats go towards the Management Quota. Under the Government Quota, out of 25 candidates who were given provisional allotment, only 10 were admitted in the institution. Out of the total Management Quota of 39 seats, the list forwarded by the institution to the MCI shows that 45 candidates have been admitted under the Management Quota. Therefore, there is an excess of 6 candidates admitted under the Management Quota. Those are the remaining 6 candidates who are covered in the remaining 6 Writ Petitions.

65. What becomes clear from the above facts is that the 11 candidates concerned have been unilaterally admitted by the institution without there being a provisional allotment issued by CENTAC. Therefore, the admission automatically becomes illegal since it is in violation of Regulation 9A. This is yet another case where the institution has attempted to play with numbers in an intelligent manner and got the candidates admitted on 31.05.2017, unilaterally. Not a single allotment letter for any of the candidates given by CENTAC, has been filed and that itself proves that the candidates were admitted unilaterally by the institution. The reasoning given in the above Writ Petitions will also squarely apply to the case of the petitioners herein. This Court finds that the admission granted to the 11 petitioners by the institution is illegal.

66. In view of the above discussion, this Court does not find any ground to interfere with the impugned discharge order passed by the MCI.

67. When all these cases are carefully scrutinized, there is a startling revelation that gets unfolded. The institutions have intelligently played with numbers and had taken advantage of the late start of the counselling and the final confusion that was caused after the mop-up counselling held on 29.05.2017. At the last minute, on 30.05.2017 and 31.07.2017, lots of events took place and according to the institutions, there was lack of clarity in the counselling that was held and the process of admission that had to be completed on 31.05.2017. By the time the selection reached the mop-up counselling on 29.05.2017 and it was completed, what was left

was mostly non-clinical courses to be filled up, as per the records maintained by CENTAC. However, these institutions worked their way smartly. These institutions did not fill-up all the vacancies in the medical courses through the candidates allotted by CENTAC. There can be various reasons for not filling up the seat. It could be that the candidate chose not to join or not to report before the institution or was not willing to pay the fees or was attempting to get a better discipline than the one allotted by CENTAC and reasons can be manifold. Once this happens, the institution is duty-bound to inform the same to CENTAC. Only then, the CENTAC will be able to add it up to the total vacancy to be filled up by the next available candidate on merit or again bring it under common counselling in the next round. However, the institutions decided to hold these vacancies close to their chest with a larger design. What they have done is that on 31.05.2017, they managed to fill maximum candidates in the clinical courses. This was done by them unilaterally without a provisional allotment made by the CENTAC. Thereafter, they want to put the blame on CENTAC and the MCI. Everyone is aware of the fact that getting a seat in the clinical course is much worthier than getting one on the non-clinical side. Therefore, filling candidates under the Management Quota in the clinical courses would have surely resulted in undue profiteering for the institutions. Since a criminal case is pending against the institutions, this Court does not want to comment any further in this regard. In the considered view of this Court, the institutions have clearly involved themselves in an act of moral turpitude.

68. The common stand taken by all the petitioners to the effect that the CENTAC informed the candidates to report before the institution and pursuant to the same, the institution granted admission to the candidates, is totally unsustainable. Admittedly in this case, a counselling took place on 31.05.2017 all the institutions participated in the same. Candidates who were allotted seats were given provisional allotment letter by CENTAC. Therefore, wherever CENTAC had provisionally allotted the candidates to the respective institutions, there was an allotment letter and the candidate was also traceable from the merit list prepared by CENTAC. In fact, for some of the candidates who were discharged by the MCI, later the discharge was withdrawn after getting confirmation from CENTAC regarding the allotment made by CENTAC to the concerned candidates. There were also cases where, on the specific stand taken by CENTAC regarding allotment, this Court had also quashed the discharge

orders of the MCI. Therefore, it is very clear that in all the above cases, there was no specific provisional allotment given by CENTAC after the common counselling on 31.05.2017 and all the candidates involved in the present batch of Writ Petitions have been unilaterally admitted by the institutions on their own. This stand taken by the petitioners is an afterthought in order to justify an illegal admission. It sounds illogical that CENTAC will give a provisional allotment letter for some candidates and a mere oral information to the others. This common ground therefore, taken by the petitioners as their defense has no legs to stand and it is not supported by any material and consequently is liable to be rejected.

69. The common ground that has been raised by all the petitioners against the discharge orders passed by MCI is that it violates the principles of natural justice. It is true that now principles of natural justice are bound to be followed wherever a decision results in civil consequences. This includes a judicial, quasi-judicial and even an administrative action. The extent to which an opportunity should be given will depend upon the authority concerned and also the Act, Rule or Regulation that governs the said authority. There is no universal standard when it comes to satisfying the principles of natural justice and the same depends upon the facts and circumstances of each case. In the present case, the MCI found that the list containing the names of the candidates that was sent by the institution was not matching with the list that was sent by CENTAC which had conducted the common counselling and allotted the candidates to the concerned institutions. Therefore, in many cases where the MCI got the clarification from CENTAC that the concerned candidate was sponsored, the discharge order was withdrawn. Wherever the MCI reiterated the discharge order, were cases where the CENTAC confirmed that the concerned candidate was not allotted the seat during the common counselling to the concerned institution. In some of the earlier Writ Petitions, where this Court found that the names of the candidates have been wrongly included by the MCI in the discharge order, inspite of being sponsored by CENTAC, such orders were quashed. In these batch of Writ Petitions, this Court is dealing with 65 candidates who have been unilaterally admitted by the institutions without being sponsored by CENTAC in the common counselling. This is per se violative of Regulation 9A. Whatever may be the explanation given by the institution, the MCI cannot disregard the Regulation and withdraw the discharge orders based on the explanation given by

the institutions. Therefore, in the considered view of this Court, the MCI has strictly acted in accordance with the Regulation and the ground raised by the Petitioners, that the order suffers from violation of principles of natural justice, is totally unsustainable.

70. The ground raised by the Petitioners that the judgement of the Hon'ble Supreme Court in Dar-us-Alam, will not apply to P.G. Courses, does not require any further deliberation by this Court since the Hon'ble Supreme Court itself has held in Ashish Ranjan v. Union of India, referred supra that it will not apply to P.G. Courses. However, this Court need not go into that issue since this Court finds that the admissions have been given by the institutions in violation of Regulation 9A. It is also seen that the MCI has included the directions given in Dar-us-Alam into its Regulations subsequently and made it applicable even for P.G. Courses.

71. It is quite a painful exercise that was undertaken by this Court while deciding the above Writ Petitions. This Court is conscious of the fact that all these Petitioners numbering nearly 65 have undergone the courses for nearly 3 years and the course period is also over and they have also been allowed to write their final examinations. The time spent by these candidates in undergoing the course and the efforts put in by them can never be given back. Having said so, it is seen that the institutions and the candidates had taken a calculated risk and having undertaken such a risk, they must also be prepared for the consequences. Probably, if these Writ Petitions had been decided in the year 2018 itself, the damage faced by them would have been lesser and by now, they could have pursued their career by again participating in the selection. Since the Writ Petitions are being decided only in the year 2020, the damage is even more for these candidates. The candidates were not genuine enough in getting the Writ Petitions heard at the earliest point in time and they continued to enjoy the benefit of the interim order passed by this Court. Ultimately, they started showing interest in the case only after completing the course and when they were not permitted to write the examinations. That is how all these Writ Petitions got themselves revitalized in the year 2020. In the absence of the same, these Writ Petitions would have continued to hibernate for some more time. Therefore, even though the dismissal of these Writ Petitions is going to cause a great damage to their career,

it is something which is not totally unexpected and more so due to the fact that they undertook before this Court that they will not claim any equity on the ground of interim orders passed in their favour.

72. It is high time that Courts start showing more seriousness in cases of this nature particularly coming under medical education since the institutions and the candidates must be given a very clear message that any admission that is done in violation of the Regulations, will not be tolerated by the Courts and the Courts will not deal with such cases with kid gloves. Any misplaced sympathies shown by Courts in the field of education and more particularly in medical education, will send a wrong signal and institutions and candidates will fall into a wrong notion that ultimately the Courts will come to their aid even where the initial admission is illegal. The Courts will have to adopt this stern stand consistently to bring about a certainty while dealing with illegal admissions.

73. This Court will now finally deal with the last Writ Petition in W.P. No. 31921 of 2017. There are totally 28 Writ Petitioners in this Writ Petition and it is seen from records that all these petitioners were selected during the regular common counselling conducted by CENTAC from 04.05.2017 to 31.05.2017 and they were allotted seats to nearly 7 institutions, who are added as Respondents 9-15 in this Writ Petition. This fact is also confirmed by CENTAC in its counter affidavit at paragraph No. 30. The petitioners have claimed in the affidavit filed in support of the Writ Petition that they had also deposited the prescribed fees as advised by CENTAC at the time of the common counselling itself. The grievance of the petitioners is that the respondent institutions refused to admit the petitioners by demanding exorbitant fees over and above the amounts already deposited with CENTAC.

74. It is further seen from records that the Division Bench of this Court while passing an interim order in a Public Interest Litigation on 16.06.2017, had directed the candidates to deposit a sum of Rs.10,00,000/- each with CENTAC and further directed the institutions to accommodate the candidates in the vacant seats in the order of their merit.

75. A lot of developments thereafter took place and yet another direction was issued by this Court in W.M.P. No. 3811 of 2018 on 28.04.2018, to accommodate the petitioners in the stray vacancies during the academic year 2018-19. This direction also became unworkable. The admissions for the academic year 2018-19 also got over in the institutions. Therefore, the prayer made by the petitioners to direct the respondent institutions to permit the petitioners to join the P.G. Medical courses for the academic year 2018-19, has become infructuous.

76. At this juncture, it will be relevant to take note of the order passed by the Division Bench of this Court in W.P. No. 17325 of 2017 dt. 12.02.2018. That Writ Petition was filed as a Public Interest Litigation filed by the counsel representing the petitioners in this Writ Petition, in his individual capacity, seeking a declaration to declare all the admissions made by the respondent institutions during academic year 2017-18, as null and void since it contravenes the MCI Regulations. The relevant portions in the order have already been extracted supra.

77. It is clear from the above Order that the Division Bench had gone into the question of the fees demanded by the institutions which became a reason for denial of admission to the petitioners. The Division Bench held that in order to decide the question as to whether the concerned candidates were illegally denied admission, the Court must first decide the question of legality of the fees demanded by the respondent institutions. During that point of time, the Hon'ble Supreme Court was seized of the matter and therefore, the Division Bench thought it fit not to go into the said issue with regard to the fees demanded by the institutions. Accordingly, the Writ Petition was dismissed and liberty was granted to the affected candidates to await the final verdict of the Hon'ble Supreme Court and thereafter reopen the case.

78. The Hon'ble Supreme Court later by an order dt. 16.04.2018, remitted the issue back to this Court.

79. A petition was filed in W.M.P. No. 14393 of 2018 to reopen the Writ Petition that was dismissed in W.P. No.

17325 of 2017. That apart, W.M.P. No. 4470 of 2018, was filed before the Division Bench to modify the order dt. 12.02.2018. The Division Bench passed an order in this petition on 21.02.2018, and the same is extracted hereunder.

--- "After considering the application for modification of our order dated 12.2.2018 in W.P.No.17325 of 2017 and after hearing Mr.Menon, we deem it appropriate to give liberty to the petitioner to file a separate writ petition in respect of admission to private affiliated medical colleges (which are not Deemed Universities), whose cases, according to Mr.Menon, are not before the Supreme Court and we make it clear that the decision in the said writ petition to be filed shall not be influenced by any observations made by us in our order dated 12.2.2018."

It is also seen from records that the Division Bench by an order dt. 26.04.2018, also adjourned the proceedings in W.P. No. 4801 of 2018, with liberty to mention as and when the Writ Petition filed by the discharged candidates is disposed of.

—

80. As on today, after the matter was remitted back by the Hon'ble Supreme Court before this Court, this Court is informed that the hearing is going on before the Division Bench of this Court in W.P. No. 14232 of 2017.

81. In view of the above, the question as to whether the fees demanded by the Deemed Universities from the petitioners is illegal or not, is a matter that has to await the Orders of the Division Bench. Even otherwise, it will be too difficult for this Court, to hold that the fees demanded by the Deemed Universities, who are respondents 9-11 in this Writ Petition, at this length of time since it was indeterminate and the position was not clear during the academic year 2017-18. Therefore, by virtue of the Order passed by the Division Bench, in W.M.P. No. 4470 of 2018, dt. 21.02.2018, this Court must only see whether the fees that was demanded by the private institutions who are respondents 13-15 in this Writ Petition, was illegal and if that could have been a ground to deny the admission to the Petitioners who were allotted seats in those 3 Self-Financing Medical Institutions.

82. The Hon'ble Supreme Court in the judgement in P.A. Inamdar Case, reported in (2005) 6 SCC 537 has held as follows:

"145.The suggestion made on behalf of minorities and non-minorities that the sane purpose for which Committees have been set up can be achieved by post-audit or checks after the institutions have adopted their own admission procedure and fee structure, is unacceptable for the reasons shown by experience of the educational authorities of various States. Unless the admission procedure and fixation of fees is regulated and controlled at the initial stage, the evil of unfair practice of granting admission on available seats guided by the paying capacity of the candidates would be impossible to curb".

83. It is clear from the above that the fees that is payable by a candidate at the time of allotment of seat, must be definite and it should not be left to the discretion of the institutions. In this regard, the order passed by the Government of Puducherry on 24.05.2017, gains a lot of significance. This order fixed the fees structure provisionally for the academic year 2017-18 till it is finally fixed by the Fee Committee. This fees that was fixed was objected by the Private Medical Colleges. Notices were issued to all private colleges on 16.05.2017, directing them not to deny seats to the candidates sponsored by CENTAC under the State Quota as well as the Management Quota. Subsequently, this Court also passed an order on 16.06.2017 in W.P. No. 14232 of 2017, directing the petitioners to deposit Rs.10,00,000/- each towards the annual fees with CENTAC. This order covered both the Deemed Universities as well as the Private Self-Financing Colleges. The petitioners deposited the Demand Drafts with CENTAC and it was also forwarded by CENTAC to the concerned colleges. It is seen from the counter filed by CENTAC that only 3 candidates, 2 in Deemed University and 1 in self-financing college, were given admissions and the remaining 24 candidates were declined admission by the colleges stating that the seats were not available for the discipline against which they were allotted seats.

84. It is therefore, clear that the petitioners were made to run from pillar to post and neither the directions given by the Government of Puducherry nor the directions issued by this Court, had any effect. The ultimate result was that

these institutions filled up all those seats unilaterally in a hasty manner on 31.05.2017. This Court has already held all those admissions to be illegal and violative of Regulation 9A and this Court has upheld the discharge order passed by the MCI.

85. It is possible that the petitioners would have gotten into P.G. Courses during the subsequent academic year and that is not an enquiry into which this Court wants to venture and it is also not relevant to decide the present Writ Petition. The fact remains that the private institutions took advantage of the situation and the confusion caused during the last minute and had intelligently manipulated and filled up majority of the clinical courses on 31.05.2017 unilaterally. These clinical seats which were kept vacant after not admitting the candidates allotted by CENTAC, was gainfully used in their favour by the respective institutions, which ultimately resulted in the MCI issuing the discharge orders. Therefore, the attitude shown by each institution in taking advantage of the situation and enriching themselves requires the condemnation of this Court. The respective institutions are therefore liable to pay for the dubious methods adopted by them in filling the seats unilaterally at the cost of denying admission to candidates who were found meritorious and allotted seats by CENTAC in the respondent institutions. Once this Court finds that the institutions have adopted an illegal procedure for filling up the seats and admitting candidates unilaterally on 31.05.2017, the respective institutions are liable to pay costs. In the considered view of this Court, this cost is made payable by the respective institutions for the illegal methods adopted by them in filling up the seats. This Court is not going into the issue of the fees charged by the institutions since it is sub judice before the Division Bench.

86. In view of the above, respondents 9-11 and 13-15 are directed to pay the costs in the following manner:

(i) Arupadai Veedu Medical College- Rs.5,00,000/- in favour of Cancer Institute (WIA), Adyar, Chennai.

(ii) Vinayaka Mission Medical College- Rs.5,00,000/- in favour of Cancer Institute (WIA), Adyar, Chennai.

(iii) Mahatma Gandhi Medical College and Research Institute- Rs.5,00,000/- in favour of Vishranthi Charitable Trust, S/B.Account No.086310000198, IFSC No.BKDN0620863, Dena Bank, Alwarpet Branch, 83, T.T.K.Road, Alwarpet, Chennai 600 018.

(iv) Sri Manakula Vinayagar Medical College and Hospital- Rs.5,00,000/- in favour of COVID-19 Relief Fund Puducherry, Account No.6872328796, Indian Bank, Main Branch, Puducherry, IDIB000P042.

(v) Venkateswara Medical College and Hospital- Rs.5,00,000/- in favour of COVID-19 Relief Fund Puducherry, Account No.6872328796, Indian Bank, Main Branch, Puducherry, IDIB000P042.

(vi) Pondicherry Institute of Medical Sciences- Rs.5,00,000/- in favour of COVID-19 Relief Fund Puducherry, Account No.6872328796, Indian Bank, Main Branch, Puducherry, IDIB000P042.

The Cost imposed by this Court shall be deposited within a period of four weeks from the date of receipt of copy of this order and the compliance memo shall be filed before the Registry.

87. In the result, W.P.No.31921 of 2017 is disposed of with costs and WP.Nos.1155, 1284, 1287, 3259, 4016, 6512, 6518, 6516 6517, 6513, 6514, 6515, 6519, 6532, 6533, 6521, 6522, 6534, 6523, 6524, 6525, 6526, 6527, 6528, 6530, 6531, 6520, 6529, 6623, 6625, 6626, 6624/2018, 15558 to 15568/2018, 21255/2019, 8473, 9106, 9115, 9336, & 9583/2020 are dismissed. No costs. Consequently, all the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

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1. THE SECRETARY TO GOVERNMENT OF PUDUCHERRY,
HEALTH AND FAMILY WELARE
SERVICE DEPARTMENT, SECRETARIAT,
BEACH ROAD, WHITE TOWN,
PUDUCHERRY 605 001.

2. THE DIRECTOR,
HEALTH AND FAMILY WELFARE SERVICES (DHFWS)
VICTOR SAMUEL STREET,
PUDUCHERRY 605 001
3. THE CONVENOR,
CENTRALISED ADMISSION COMMITTEE (CENTAC),
PEC CAMPUS ECR ROAD, PILLAICHAVADI,
PUDUCHERRY 605 014.
- 4 THE SECRETARY TO LT. GOVERNOR
OF PUDUCHERRY, RAJ NIVAS, WHITE TOWN,
PUDUCHERRY 605 001.
- 5 THE JOINT SECRETARY,
MEDICAL COUNCIL OF INDIA, POCKET - 14,
SECTOR - 8 DWARKA, NEW DELHI 110 077.
- 6 THE SECRETARY,
MINISTRY OF HUMAN RESOURCES DEVELOPMENT,
SHASTRI BHAWAN, NEW DELHI 110 001.
- 7 THE SECRETARY,
UNIVERSITY GRANT COMMISSION, BAHADUR SHAH,
ZAFAR MARG, NEW DELHI 110 002.
- 8 THE SECRETARY TO GOVT. OF INDIA,
MINISTRY OF HEALTH & FAMILY WELFARE ,
7-B MOTI LAL NEHRU MARG, NEW DELHI 110 011.
- 9 THE DIRECTOR GENERAL OF HEALTH
SERVICES MINISTRY OF HEALTH AND FAMILY
WELFARE DEPARTMENT NEW DELHI.
- 10 THE SECRETARY, MEDICAL COUNCIL OF INDIA,
POCKET-14, SECTOR-8,
DWARKA PHASE -1,
NEW DELHI 110 077.
- 11 THE SECRETARY,
THE UNION OF INDIA,
MINISTRY OF HEALTH AND
FAMILY WELFARE, (DEPT. OF HEALTH-DE SECTION),
MAULANA AZAD ROAD, NEW DELHI 110 011.

- 12 THE REGISTRAR, PONDICHERRY UNIVERSITY,
ADMINISTRATIVE BUILDING, R.V. NAGAR, KALAPET,
PUDUCHERRY 605 014.
- 13 THE UNDER SECRETARY, GOVERNMENT OF INDIA,
MINISTRY OF HEALTH AND FAMILY WELFARE,
NIRMAN BHAVAN,
NEW DELHI-110 001.
- 14 THE JOINT SECRETARY/ASSISTANT SECRETARY
THE MEDICAL COUNCIL OF INDIA,
POCKET-14, SECTOR-8, DWARKA PHASE-1,
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- 15 THE UNDER SECRETARY TO GOVERNMENT (HEALTH),
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GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY.
- 16 THE CHAIRMAN/CONVENOR,
CENTRAL ADMINISTRATIVE COMMITTEE (CENTAC),
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PUDUCHERRY-605 014.
- 17 THE UNDER SECRETARY TO GOVERNMENT
(HEALTH), CHIEF SECRETARIAT,
THE GOVERNMENT OF PUDUCHERRY,
PUDUCHERRY.
- 18 THE REGISTRAR,
PONDICHERRY INSTITUTE OF MEDICAL SCIENCES,
KALAPET, PUDUCHERRY-605 014.
- 19 THE CHIEF SECRETARY,
GOVERNMENT OF PONDICHERRY,
CHIEF SECRETARIAT,
PONDICHERRY.
- 20 THE SECRETARY TO GOVERNMENT (HEALTH),
CHIEF SECRETARIAT (HEALTH),
GOVERNMENT OF PONDICHERRY,
PONDICHERRY.
- 21 THE SECRETARY TO GOVERNMENT (HEALTH),
UNION TERRITORY OF PUDUCHERRY,
CHIEF SECRETARIAT, PUDUCHERRY.

- 22 CENTRAL ADMISSIONS COMMITTEE (CENTAC),
REP BY ITS CHAIRMAN/ CONVENER,
PONDICHERRY ENGINEERING COLLEGE CAMPUS,
PUDUCHERRY- 605 014.
- 23 THE REGISTRAR (ACADEMIC)
PONDICHERRY UNIVERSITY,
R.V.NAGAR, KALAPET, PONDICHERRY.
- 24 THE DEPUTY REGISTRAR (ACADEMIC),
PONDICHERRY UNIVERSITY,
R.V.NAGAR, KALAPET,
PONDICHERRY.
- 25 THE CONTROLLER OF EXAMINATIONS,
(I/C) PONDICHERRY UNIVERSITY,
R.V.NAGAR, KALAPET PUDUCHERRY-605 014.
- 26 THE REGISTRAR,
PONDICHERRY UNIVERSITY,
ADMINISTRATIVE BUILDING,
R.V.NAGAR, KALAPET,
PUDUCHERRY 605 014.
- 27 THE COORDINATOR/ ACADEMICS
PONDICHERRY UNIVERSITY R.V.NAGAR
PUDUCHERRY 605 014.
- 28 THE CHAIRMAN,
SRI VENKATESWARA MEDICAL COLLEGE
HOSPITAL RESEARCH CENTRE,
13 A, PONDY VILLUPURAM MAIN ROAD, ARIYUR,
PUDUCHERRY.
- 29 THE DEAN, SRI MANAKULA VINAYAGAR MEDICAL COLLEGE,
AND HOSPITAL,
R.N.KALITHEERTHALKUPPAM,
MANAGADIPET, PUDUCHERRY-605 107.
- 30 THE DEAN,
AARUPADAI VEEDU MEDICAL COLLEGE, PONDY-CUDDALORE,
MAIN ROAD, KIRUMAMPAKKAM,
PUDUCHERRY-607 402.

- 31 THE DEAN, VINAYAKA MISSION MEDICAL COLLEGE,
KEEZHAKASAKUDIMEDU,
KOTTUCHERRY (PO)
KARAIKAL-609 609
PUDUCHERRY STATE.
- 32 THE DEAN,
MAHATHMA GANDHI, MEDIAL COLLEGE & RESEARCH INSTITUTE,
PONDY- CUDDALORE MAIN ROAD,
PILLAYARKUPPAM,
PUDUCHERRY-607 402.
- 33 THE CHAIRMAN,
PONDICHERRY INSTITUTE OF MEDICAL SCIENCE,
KALAPET, PUDUCHERRY 605 014.

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32972 and 32974

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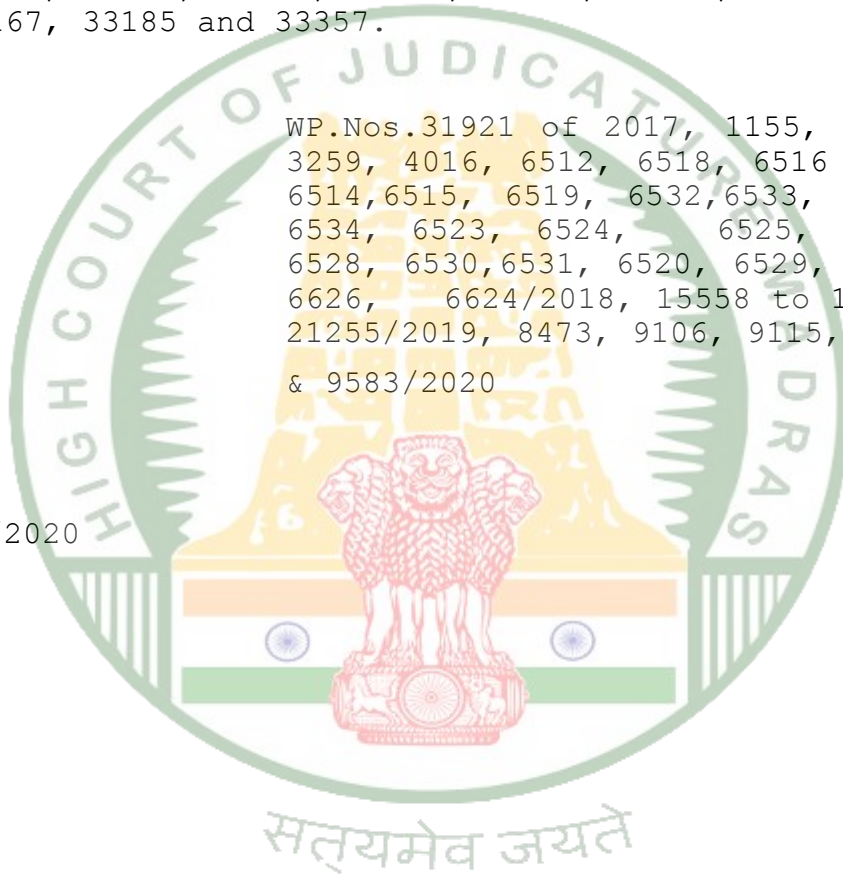
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WP.Nos.31921 of 2017, 1155, 1284, 1287, 3259, 4016, 6512, 6518, 6516 6517, 6513, 6514,6515, 6519, 6532,6533, 6521, 6522, 6534, 6523, 6524, 6525, 6526, 6527, 6528, 6530,6531, 6520, 6529, 6623, 6625, 6626, 6624/2018, 15558 to 15568/2018, 21255/2019, 8473, 9106, 9115, 9336, & 9583/2020

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