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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22329 of 2014
and
W.M.P.No.26309 of 2016,
M.P.No.1 & 2 of 2014

Dr.Nagamani Sen

...Petitioner

Vs

1. Medical Council of India,
Rep. by its Secretary,
Pocket-14, Sector-B,
Phase-1, Dwarka, New Delhi-110 077.

2. K.V.Jayanth

...Respondents

(R2 is impleaded vide order dated 15.09.2015 in M.P.1 of 2015 in W.P.No.22329 of 2014)

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, praying to issue a Writ of certiorari calling for the records of the Public Notice dated 14.08.2014, insofar as it relates to the petitioner only, issued by the respondent, published in the Chennai Edition of 'The Hindu' dated 14.08.2014 and quash the same.

For Petitioner : Mr.Krishna Srinivas
for M/s.Ramasubramanian Associates

For Respondent 1 : Ms.Shubharanjani Ananth
Standing Counsel

For Respondent 2 : Ms.Gayathiri
for Mr.M.V.Swaroop

O R D E R

The writ petition is filed challenging the validity of the public notice issued on 14.08.2014. The notice impugned states that the license of 11 doctors have been suspended from Indian Medical Register on account of their having been found guilty under the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002.



2. The learned counsel appearing on behalf of the 1st respondent states that the suspension order alone is under challenge in the present writ petition.

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3. This Court is of the considered opinion that mere suspension cannot be considered as a final order. Further, the period of suspension expired long back. The petitioner was suspended for a period of 9 months from 08.08.2014. Therefore, the Medical Council of India is at liberty to proceed if any Charge Memorandum is framed against the Doctors by following the procedures as contemplated.

4. This being the factum, the cause did not exist as of now. Thus, no further adjudication needs to be entertained in the grounds raised in the writ petition. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ars/mka

To

The Secretary,
Medical Council of India,
Pocket-14, Sector-B, Phase-1,
Dwarka, New Delhi-110 077.

+1cc to M/s.Ramasubramanian Associates, Advocate, S.R.No.54399

W.P.No.22329 of 2014

and

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NSK 15/11/2021