

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.No.19979 of 2020

A.Sathish Kumar

.. Petitioner

-vs-

- 1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Secretariat,
Chennai - 600 009.
 - 2.The Director,
Directorate of Indian Medicine & Homeopathy,
Aringar Anna Complex,
Arumbakkam, Chennai - 600 106.
 - 3.The Secretary,
Counselling Committee,
Directorate of Indian Medicine & Homeopathy,
Aringar Anna Complex,
Arumbakkam, Chennai - 600 106.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to consider the representation dated 20.11.2020 by the petitioner and conduct the counselling for admission to Indian Medicine Courses viz., BAMS/BUMS/BSMS/BHMS seats on and from 5th December, 2020 for the State/UT Quota/All India Quota of private.

For Petitioner : Mrs.AL.Ganthimathi

For Respondents : Mr.E.Manoharan
Special Government Pleader

ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

This writ petition pertains to the counselling for admission to Indian Medicine Courses on and from 05.12.2020.

2. Learned counsel for the petitioner submits that such counselling should be held when the counselling in respect of other medical courses such as MBBS and BDS is conducted.

3. Learned Special Government Pleader appearing for the respondents points out that the first round of counselling for the current academic year has already been concluded. He further submits that it is not feasible to conduct counselling for the Indian Medicine Courses along with allopathy medicine courses for administrative reasons.

4. The decision as to whether such counselling should be conducted at the same time or separately in respect of different medical courses is a policy decision to be taken by the appropriate authorities and this Court does not, ordinarily, issue a mandamus for such purpose. The writ petitioner has failed to establish that such policy is ex facie arbitrary or unreasonable so as to make out a case for interference. Consequently, W.P.No.19979 of 2020 is dismissed. There will be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- 2.The Director,
Directorate of Indian Medicine & Homeopathy,
Aringar Anna Complex,
Arumbakkam, Chennai - 600 106.
- 3.The Secretary,
Counselling Committee,
Directorate of Indian Medicine & Homeopathy,
Aringar Anna Complex,
Arumbakkam, Chennai - 600 106.

+1cc to Mr.AL.Gandhimathi, Advocate, S.R.No. 7046
+1cc to the Government Pleader, S.R.No. 7098

W.P.No.19979 of 2020

PM(CO)
GN(17/02/2021)