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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2021

CORAM:

The Hon'ble Mr. Justice Krishnan Ramasamy

W.P.No.21555 of 2017

and

W.M.P.Nos.22530 to 22531 of 2017 & 9026 of 2018

Dr. Rajeev Thilak.C, M.S. (General Surgery),
S/o. S. Chellamy,
Madras Medical College,
Chennai - 600 001.

...Petitioner

Vs

1. The Medical Council of India,
represented by its Secretary,
Pocket - 14, Sector - 8,
Dwarka Phase-I, New Delhi - 110 077.
2. The Registrar,
Tamilnadu Dr. M.G.R. Medical University,
No.69, Annasalai, Guindy, Chennai - 32.
3. The Controller of Examination,
Tamilnadu Dr. M.G.R. Medical University,
No.69, Annasalai, Guindy, Chennai - 32.
4. The Pondicherry University,
Represented by its Vice Chancellor, Pondicherry.
(Suo-Motu impleaded as per order dt.13.10.2017 by NKKJ
in W.P.No.21555/2017 and connected WMPs)
5. The Director General of Health Services,
Ministry of Health and Family Welfare,
Government of India, New Delhi.
(Suo-Motu impleaded as per order dt.04.12.2017
by NKKJ in W.P.No.21555/2017)

...Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 2 and 3 to award 5 marks in Applied Basic Science in General Surgery bearing Registration Number 221411014 as grace marks and declare the petitioner pass in M.S. (General Surgery) or in the alternative direct the respondents 2 and 3 to send the petitioner's Applied Basic Science in General Surgery bearing Registration Number 221411014 to a 3rd examiner from an outside University for evaluation.



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For Petitioner	:	M/S.M.Muthappan
For R1	:	Ms.Shubharanjani Ananth Standing Counsel
For R2 & R3	:	Mr.D.Ravichander Standing Counsel
For R4	:	No Appearance
For R5	:	Mr.B.Rabu Manohar

ORDER

The relief sought for in the present writ petition is to direct the respondents 2 and 3 to award 5 marks in Applied Basic Science in General Surgery bearing Registration Number 221411014 as grace marks and declare the petitioner pass in M.S.(General Surgery) or in the alternative direct the respondents 2 and 3 to send the petitioner's Applied Basic Science in General Surgery bearing Registration Number 221411014 to 3rd examiner from an outside University for evaluation.

2. When the matter is taken up for hearing today i.e. on 08.11.2021, the learned counsel appearing for the petitioner submitted that by efflux of time, the relief sought for in this writ petition has become infructuous and there is nothing survives for adjudication.

3. In view of the above submission, this Writ Petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

sp/jd

To

1.The Secretary,
Medical Council of India,
Pocket - 14, Sector - 8,
Dwarka Phase-I,
New Delhi - 110 077.



2. The Registrar,
Tamilnadu Dr. M.G.R. Medical University,
No.69, Annasalai, Guindy,
Chennai - 32.

3. The Controller of Examination,
Tamilnadu Dr.M.G.R.Medical University,
No.69, Annasalai, Guindy,
Chennai - 32.

4. The Vice Chancellor,
Pondicherry University,
Pondicherry.

5. The Director General of Health Services,
Ministry of Health and Family Welfare,
Government of India, New Delhi.

+1cc to M/s.Shubharanjani Ananth, Advocate, S.R.No.57531
+1cc to Mr.B.Babu Manohar, Advocate, S.R.No.57328

W.P.No.21555 of 2017
and
W.M.P.Nos.22530 to 22531
of 2017 & 9026 of 2018

JPL(CO)
SB(01/12/2021)