



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.3343 of 2021

and

W.M.P(MD) Nos.2694, 2695 and 2697 of 2021

WEB COPY

Dr.S.V.Vigneswara Srinivasan

...Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Health and Family Welfare Department,
Government of Tamilnadu, Fort St.George,
Chennai-9.
- 2.The Director,
Directorate of Medical Examination,
Government of Tamilnadu, Kilpauk,
Chennai-600 010.
- 3.The Dean,
Coimbatore Medical College,
Coimbatore.
- 4.The Director of Medical and Rural Health Service,
Government of Tamilnadu,
Chennai-6.
- 5.The District Collector,
Ramanadhapuram District,
Ramanadhapuram.
- 6.The Tahsildhar,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorified Mandamus, to call for the records of the fourth respondent the Director of Medical and Rural Health Services, Govt of Tamilnadu Chennai-6, vide its impugned recovery proceedings order in No.Na.Ka.81797/nipe4/3/17 dated 06.12.2017 issued to the petitioner through the fifth respondent the Collector of Ramanathapuram in his proceedings No.Na.Ka.G4/109/2018 dated 15.05.2018 and 6th respondent the Thasildar, Paramakudi, Ramanathapuram District in his proceedings No.Na.Ka.A3/6851/2018 dt 27.11.2020 by compelling the petitioner to pay the said penalty amount of Rs.10,00,000/- (Rupees Ten Lakhs only) received by the



petitioner on 17.12.2020 against the All India Medical Exams quota and as precondition as per similar orders of the Hon'ble Madras High Courts W.P.Nos.20013 to 20032 of 2013 dt.01.8.2013 and quash the same.

For Petitioner

: Mr.R.Rajagopal

For Respondents

: Mrs.J.Padmavathi Devi
Special Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.It is seen that prior to the impugned order, the petitioner has filed a writ petition in W.P.No.9365 of 2020, wherein he sought for issuance of mandamus directing the respondents to refrain from compelling the petitioner to pay the bond amount. The respondents' subsequent demand by invoking the bond is put under challenge in the present writ petition. When the petitioner herein had chosen to invoke the territorial jurisdiction of the Principal Seat for the very issue involved in this writ petition and the writ petition in W.P.No.9365 of 2020 is also pending before the Principal Seat, it would not be appropriate to entertain the present writ petition, which flows from the same cause of action. However, if the petitioner is granted liberty to present this writ petition before the Principal Bench, the ends of justice could be secured.

3.At this Juncture, the learned counsel for the petitioner seeks permission of this Court withdraw this writ petition with liberty to present the same before the Principal Bench.

4.Accordingly, this Writ Petition stands dismissed as withdrawn with liberty to the petitioner to file a fresh petition before the Principal Bench of the Madras High Court. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

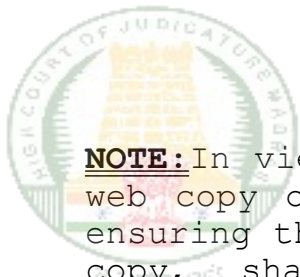
Assistant Registrar (CRL SIDE)

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Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director,
Directorate of Medical Examination,
Government of Tamilnadu, Kilpauk,
Chennai-600 010.
- 3.The Dean,
Coimbatore Medical College,
Coimbatore.
- 4.The Director of Medical and Rural Health Service,
Government of Tamilnadu,
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- 5.The District Collector,
Ramanadhapuram District,
Ramanadhapuram.
- 6.The Tahsildhar,
Paramakudi Taluk,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-6668[F] dated 23/02/2021)

W.P.(MD) No.3343 of 2021

and

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VB (16.03.2021) 3P 8C