



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 03.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.13992 OF 2022

Dr.P.Jayaprakash

... Petitioner

.Vs.

1. The National Medical Commission,
Represented by its Chairman,
Pocket - 14, Sector - 8,
Dwarka Phase - 1,
New Delhi - 110 077.

2. The Tamil Nadu Medical Council,
Represented by its Registrar,
914, Poonamallee High Road,
Arumbakkam, Chennai,
Tamilnadu.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to register the petitioner's MRCPCH (member of Royal College of Paediatrics and Child Health) Degree obtained by him from the Royal College of Pediatrics and Child Health on 01.12.2019.

For Petitioner : Mr.Govind Chandrasekhar

For R1 : Ms.Shubharanjani Ananth

For R2 : Mr.G.Sankaran

ORDER

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



2. The petitioner herein had made an application to the second respondent on 25.11.2021 for registration of his additional qualification of MRCPCH (Member of the Royal College of Paediatrics and Child Health) Degree. Since there is an inordinate delay of 7 months in processing the application, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the application by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the application, if any, submitted by the petitioner on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mst

To

1. The Chairman,
The National Medical Commission,
Pocket - 14, Sector - 8,
Dwarka Phase - 1,
New Delhi - 110 077.



2. The Registrar,
The Tamil Nadu Medical Council,
914, Poonamallee High Road,
Arumbakkam, Chennai,
Tamilnadu.

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+1cc to Mr.Govind Chandrasekhar, Advocate, S.R.No.32241

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KJ(CO)
PBS/05/07/2022