



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM :

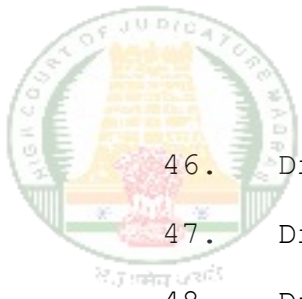
THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Writ Petition No.32383 of 2014 &
W.M.P.Nos. 1 and 2 of 2014

1. Dr.Nagoor Meeran
2. Dr.Amit Kumar
3. Dr.B.Satish Babu
4. Dr.Vijay
5. Dr.Asher Ennis Nayagam
6. Dr.Boopathi Raja
7. Dr.P.Chandrasekhar Reddy
8. Dr.Koppara Naveen Kumar
9. Dr.Sreedhar Babu
10. Dr.B.Vijaychander
11. Dr.A.Ramakanth Reddy
12. Dr. M.Hanumanth Reddy
13. Dr.Ashok Kumar Anneppu
14. Dr.Saketh
15. Dr.Raja.K
16. Dr.Saurabh Patil
17. Dr.Y.Yuvaraju
18. Dr. N.Premanand
19. Dr.M.Manoj Kumar
20. Dr.Bharath



21. Dr.Malyadri P
22. Dr.Shyam M
23. Dr.Atish Bakane
24. Dr.Kumaran S
25. Dr.Sai Priya
26. Dr.Sucitra
27. Dr.Sindhoori
28. Dr.Shravan Kumar C H
29. Dr.Venkateshwaralu
30. Dr.Srinivasa Reddy Jakkaireddy
31. Dr.Aarthi Balaji
32. Dr.Harikishan
33. Dr.B.Satishkumar
34. Dr.Bawa Bahrudeen
35. Dr.Hiren Sarma
36. Dr.Muni Theja P
37. Dr.Ankush Mohabey
38. Dr.Durgaprasad V
39. Dr.Vijaya Harinatha Reddy A
40. Dr.Anand Kumar
41. Dr.B A Pradeep
42. Dr.Sharif Ahmed
43. R.Nilay Chhasattia
44. Dr.K.Premalatha
45. Dr.Priyanka



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46. Dr.Sunil A
 47. Dr.Charutha
 48. Dr. G.Sri Latha
 49. Dr.Nithya Panangadon
 50. Dr.P.Gayathri
 51. Dr.Archana S.K
 52. Dr.P.Vijayakumar
 53. Dr.Anjali R
 54. Dr.Kiran Naik
 55. Dr.Susma M N
 56. Dr.D.Manikandan
 57. Dr.Raghavendra
 58. Dr.Deepthi.R
 59. Dr.Bhavani.A
 60. Dr.Swathi.S
 61. Dr.Anitha.R
 62. Dr.CH.Kiran Sri
 63. Dr.Karunabhumi Reddy
 64. Dr.Meenu Priyadarshini
 65. Dr.Nithya L.R
 66. Dr.Nivethitha.P
 67. Dr.Varun Nabhoya
- Petitioners 1 to 67 are DNB Students,
Southern Railway Head Quarters Hospital ,
Aynavaram, Perambur,
Chennai-23.

...Petitioners

-Vs-



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1. The Union of India,
Rep. by the Secretary to Government,
Ministry of Health and Family Welfare,
Nirman Bhavan,
New Delhi.
2. The Director
National Board of Examinations
(Ministry of Health and Family
Welfare, Govt. of India)
NAMS Building, Ansari Nagar,
Mahatma Gandhi Marg ,
New Delhi-110029.
3. The Chairman,
Railway Board, Rail Bhavan,
New Delhi.
4. The Deputy Director (Health),
Railway Board, Rail Bhavan,
New Delhi.
5. The Chief Medical Director,
Southern Railway,
Moore Market Complex,
Chennai-600 003.
6. The Medical Director,
Southern Railway Head Quarters Hospital,
Ayanavaram, Perambur,
Chennai-600 023.
7. The Additional Chief Health Director
& DNB Coordinator,
Southern Railway Head Quarters Hospital,
Aynavaram, Perambur,
Chennai-23.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing respondents 3 to 7 from implementing the revised fee structure and stipend guidelines prescribed by the National Board of Examinations and adopted by the Railway Board as contained in the Letter of the 4th respondent dated 31/10/2014 and the consequent circular issued by the 7th respondent dated 24/11/2014



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For Petitioners: M/S. V.S.Manimekalai

For R-1 & R-2 : No appearance

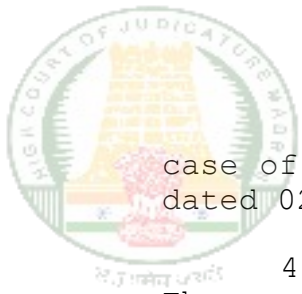
For R-3 to R7 : P.T.Ram Kumar (Standing Counsel)

O R D E R

Writ petition is filed seeking a Writ of Mandamus, forbearing the respondents 3 to 7 from implementing the revised fee structure and stipend guidelines prescribed by the National Board of Examinations and adopted by the Railway Board as contained in the Letter of the 4th respondent dated 31/10/2014 and the consequent circular issued by the 7th respondent dated 24/11/2014.

2.The petitioners are the students undergoing Super Specialty and Broad Specialty Courses in Southern Railway Head Quarters Hospital, Perambur. This Course is equivalent to the Post Graduate Degree course and they are entitled to stipend as decided by the National Board of Examinations. Somewhere in 2014, the Railway hospital sent a communication that they have decided to adopt the modified fees and stipend guidelines for DNB training on par with the Indian Railway Medical set up. According to the petitioners, the stipend prescribed is a basic amount and it cannot be lesser than the amount fixed by the National Board of Examinations and that demand was raised to pay on par with the junior resident doctors. However, this matter was dealt with by this Court in detail in a batch of writ petitions. Ultimately, in Writ Appeal No. 212 of 2021 dated 02.03.2021, the Division Bench of this Court has given a direction to the respondents to settle the issue without driving the students to the Court. Accordingly, the writ petitioners are entitled to stipend payable on par with the junior resident doctors working in Railway Hospital at Chennai.

3. The learned counsel for the respondents would submit that by virtue of the interim order granted by this Court, they have not reduced the stipend and the petitioners have completed the Course and left the institution. Considering the prayer made in the writ petition that a direction forbearing the respondents from implementing revised fee structure and stipend guidelines prescribed by the National Board of Examination and adopted by Railway Board by way of letter dated 31.10.2014 and the consequent circular issued by the 7th respondent dated 24.11.2014 is concerned that has become infructuous, as the stipend was paid without any reduction. Therefore, nothing survives for adjudication in this writ petition. However, respondents are directed to act in compliance with the direction issued in the



case of similarly placed persons in Writ Appeal No. 212 of 2021 dated 02.03.2021 and to take appropriate action.

4. Writ petition disposed of with the above observations. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sha/kpr

To

1. The Secretary to Government,
Union of India, Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi.
2. The Director
National Board of Examinations
(Ministry of Health and Family Welfare, Govt. of India)
NAMS Building, Ansari Nagar, Mahatma Gandhi Marg ,
New Delhi-110029.
3. The Chairman,
Railway Board, Rail Bhavan,
New Delhi.
4. The Deputy Director (Health),
Railway Board, Rail Bhavan,,
New Delhi.
5. The Chief Medical Director,
Southern Railway, Moore Market Complex,
Chennai-600 003.
6. The Medical Director,
Southern Railway Head Quarters Hospital,
Ayanavaram, Perambur, Chennai-600 023.
7. The Additional Chief Health Director & DNB Coordinator,
Southern Railway Head Quarters Hospital,
Aynavaram, Perambur, Chennai-23.

+lcc to M/s.P.T.Ramkumar, Advocate, S.R.No.10850

W.P.No.32383 of 2014 &
W.M.P.Nos. 1 and 2 of 2014

SKM(CO)
RGA(29/03/2022)