



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.06.2022
CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WEB COPY

W.P(MD)No.11001 of 2022
and
W.M.P. (MD)No.7928 of 2022

M.Anand

... Petitioner

Vs.

- 1.The Union of India,
Represented by its Secretary,
Ministry of Health and Family Welfare,
Government of India,
Nirman Bhawan,
Delhi - 110 011.
- 2.The National Medical Council,
Rep. by its President,
Pocket 14, Sector 8,
Dwarka, Phase-I,
New Delhi.
- 3.The National Board of Examination,
Represented by its Director,
Medical Enclave, Ansari Nagar,
Ring Road, New Delhi - 110 029.
- 4.The Medical Counseling Committee (MCC),
Represented by its Director,
Directorate General of Health Services,
Nirman Bhawan,
New Delhi - 100 011.
- 5.The State of Tamilnadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 6.
- 6.The Director of Medical Education,
O/o. The Director of Medical Education,
Kilpauk, Chennai - 10.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 4th respondent to consider the petitioner for admission to Post Graduate course in MS/MD/DNB/Diploma for the academic year 2021-2022 in the lapsed seats under All India Quota by either conducting

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counseling or admitting him directly so as to ensure that no seats remain unfilled within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Ajmal Khan, Senior Counsel,
For M/s.Ajmal Associates.

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For Respondents : Mr.V.J.Kumaravel,
Senior Panel Counsel for R1.

Mrs.Shubharantani Ananth,
Standing Counsel for R2

Mrs.Victoria Gowri,
Addl. Solicitor General of India for R3 & R4.

Mr.K.Balasubramani,
Spl. Government Pleader for R5 & R6.

ORDER

Heard the learned Senior Counsel for the writ petitioner, the learned Senior Panel Counsel for the first respondent, the learned Standing Counsel for the second respondent, the learned Additional Solicitor General of India for the respondents 3 and 4 and the learned Special Government Pleader for the respondents 5 and 6.

2.The matter was listed before me on 08.06.2022. The learned Senior Counsel submitted that because of failure on the part of the fourth respondent to hold one more counseling, a number of seats for Post Graduate Medical Course would go vacant. Considering the seriousness of the allegation, I directed listing of the matter today ie., 09.06.2022. But today it is widely reported that the Hon'ble Supreme Court is seized of the very same issue. Therefore, it may not proper for this Court to continue to deal with the matter.

3.Leaving open the petitioner's rights, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS.I)

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/ /2022

Sub Assistant Registrar(CS)



To:

1.The Secretary,
Union of India,
Ministry of Health and Family Welfare,
Government of India,
Nirman Bhawan,
Delhi - 110 011.

2.The President
National Medical Council,
Pocket 14, Sector 8,
Dwarka, Phase-I,
New Delhi.

3.The Director,
National Board of Examination,
Medical Enclave, Ansari Nagar,
Ring Road, New Delhi - 110 029.

4.The Director,
Medical Counseling Committee (MCC),
Directorate General of Health Services,
Nirman Bhawan,
New Delhi - 100 011.

5.The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 6.

6.The Director of Medical Education,
O/o. The Director of Medical Education,
Kilpauk,
Chennai - 10.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-24752[F] dated
09/06/2022)

+1 CC to M/s.V.J.KUMARAVEL, Advocate (SR-25321[F] dated
13/06/2022)

+1 CC to M/s.SPL GP (SR-25390[F] dated 13/06/2022)

W.P (MD) No.11001 of 2022

Date:09.06.2022

PKP(20.06.2022) 3P 10C

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