



WEB COPY



WP Nos.226 of 2011 and 20219 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP Nos.226 of 2011 and 20219 of 2009

Rt.Rev.G.Devakadashyam
Bishop, Kanyakumari Diocese CSI
Dennission Street
Nagercoil, Kanyakumar District.

.. Petitioner in
WP.226/2011

Rt.Rev.G.Devakadashyam
Bishop, Kanyakumari Diocese CSI
Dennission Street
Nagercoil, Kanyakumar District.

.. Petitioner in
WP.20219/2009

-vs-

1. The Union of India
Rep. by its Secretary to Government
Ministry of Health and Family Welfare
Department of Health
Nirman Bhavan
New Delhi – 110 011.

2. The Medical Council of India
Rep. by its Secretary
Pocket 10 Sector F
Dwaraka Phase, New Delhi – 110 077.

3. The State of Tamil Nadu

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Rep. by its Principal Secretary to Government
Health and Family Welfare Department
Fort St. George
Chennai – 600 009.

4. The Tamil Nadu Dr. MGR Medical University
Rep. by the Registrar
No. 69, Anna Salai
Guindy, Chennai – 600 032.
Respondents

..

Prayer: Petitions filed under Article 226 of the Constitution of India for issuance of a (i) WP.226/2011 - Writ of Declaration, declaring that Sub-Clause 3 of Clause 2 of Medical College Regulations, 1999 is not applicable to the petitioner who is a religious minority and consequently direct the 4th respondent to issue consent of affiliation and direct respondents 1 and 2 to process the application submitted by the petitioner on 31.08.2009 to establish CSI Medical College at Neyoor without insisting on Essentiality Certificate from the State Government; and (ii) WP.20219/2009 - Writ of Mandamus, directing the respondents 1 and 2 to process and consider the application of the petitioner dated 31.08.2009 for establishment of CSI Medical College at Neyoor, Kanyakumari District without insisting on production of essentiality certificate from the 3rd respondent and letter of consent of affiliation from the 4th respondent.

For the Petitioner in both WPs.	:	Mr. C.Robert Bruce
For the Respondents in both WPs.	:	Mr. V.Chandrasekaran Senior Panel Counsel for R-1



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: Mrs. Subharanjani Anandh for R-2
:
: Mr. U.Bharanidharan
Addl. Govt. Pleader for R-3
:
: Mr. S.Wilson for R-4

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COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The learned counsel for the petitioners, on instructions, submits that the petitions have become infructuous.

The writ petitions are dismissed as infructuous. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

26.06.2023

Index : yes/no
Neutral Citation : Yes/No
sra

To:

1. The Secretary to Government
Ministry of Health and Family Welfare
Department of Health
Nirman Bhavan
New Delhi – 110 011.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

2. The Secretary, The Medical Council of India
Pocket 10 Sector F
Dwaraka Phase New Delhi – 110 077.
3. The Principal Secretary to Government
of Tamil Nadu, Health and Family Welfare Department
Fort St. George, Chennai – 600 009.
4. The Registrar
Tamil Nadu Dr. MGR Medical University
No. 69, Anna Salai, Guindy, Chennai – 600 032.

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