



W.P.No.8546 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

CORAM
THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

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Vimala Thiyagarajan

...Petitioner

Vs.

1. The Tamil Nadu Dr.MGR Medical University,
Rep. by its Registrar,
No.69, Anna Salai, Guindy, Chennai - 32.
2. The Academic Officer (FAC),
The Tamil Nadu Dr.MGR Medical University,
No.69, Anna Salai, Guindy, Chennai - 32.
3. The Controller of Examination,
The Tamil Nadu Dr.MGR Medical University,
No.69, Anna Salai, Guindy, Chennai - 32.
4. The Dean,
Coimbatore Medical College,
Coimbatore -18.
5. Tamil Nadu Medical Council,
Represented by its President,
New No.914, Poonamallee High Road,
Arumbakkam, Chennai - 106.

...Respondents

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the Respondents to allow the Petitioner



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to appear in May-2023 Examination for MD (General Medicine) by considering her entire attendance during the entire course period and permit the petitioner to attend the examination for MD (General Medicine) scheduled to be conducted in the month of July-2023 on the basis of the petitioner's representation dated 10.02.2023.

For Petitioner : Mr.K.Suresh

For Respondents : Mr.E.Veda Bagath Singh, Spl.GP

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to allow the Petitioner to appear in May-2023 Examination for MD (General Medicine) by considering her entire attendance during the entire course period and permit the petitioner to attend the examination for MD (General Medicine) scheduled to be conducted in the month of July-2023 on the basis of the petitioner's representation dated 10.02.2023.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.



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3. The case of the petitioner is that she is studying MD (General Medicine) in the 4th respondent college. During the course of her study, the petitioner took Maternity leave from 26.03.2021 to 17.10.2021. Though the petitioner approached the respondents even from the last week of August 2121, seeking necessary permission for rejoining the course, however, the 2nd respondent had permitted the petitioner to rejoin the course only vide letter dated 06.10.2021. Further, the 2nd respondent has condoned the leave/break availed by the petitioner from 25.03.2021 to 08.10.2021, vide letter dated 06.10.2021. However, the 2nd respondent in his letter dated 06.10.2021 stated that, the petitioner is eligible to appear in May 2024 examination only instead of July 2023 exams, despite the fact that the petitioner secured more than 80% Attendance for all the academic years. Aggrieved by the same, the petitioner made a representation dated 10.02.2023 before the respondents, requesting to allow the petitioner to appear for the July 2023 examinations. However, till date, no orders have been passed on the said representation. Hence, this Writ petition.



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4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 10.02.2023, in the light of the leave/delay condoned by the 2nd respondent, vide letter dated 06.10.2021 and pass appropriate orders as expeditiously as possible.

5. Learned Special Government Pleader appearing for the respondents have no serious objection for the said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 10.02.2023 on merits and in accordance with law and pass appropriate orders, within a period of **two** weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. This Writ petition is accordingly disposed of. No costs.

21.03.2023

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Speaking Order : Yes/ No

Index : Yes/ No

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