



WP Nos.27446 and 27447 of 2011

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.27446 and 27447 of 2011

P.Priyadharshini
Abhishek Bansal

.. Petitioner in W.P. No. 27446/2011
.. Petitioner in W.P. No. 27447/2011

-vs-

1. The Tamil Nadu Dr.M.G.R. Medical University
Medical University
Represented by its Registrar
No.69, Anna Salai, Guindy, Chennai – 600 032.
 2. The Controller of Examination
The Tamil Nadu Dr.M.G.R. Medical University
No.69, Anna Salai, Guindy, Chennai – 600 032.
 3. Medical Council of India
Rep. by its Chairman, Sector 8,
Dwaraka Phase – I, New Delhi – 110077.
 4. The Director
Directorate of Medical Education
162, EVR Periyar Salai, Kilpauk
Chennai – 600 010.
 5. The Chairman
Tamil Nadu Medical Council
First Floor, D-Block, TNHB Complex
Jawaharlal Nehru Salai
Vadapalani, Chennai – 600 026.
- .. Respondents in both WPs



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Prayers: Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, declaring that the guidelines dated 14.01.2011 Ref. Rc.No.ACAD-I(3)/18100/10 introduced/followed by the First Respondent in so far as the same insisting minimum of 50% marks individually in the sub-branches (Written I and Written II) of every subject including the subject "Community Medicine" as contrary to Regulation 12(4) of the Medical Council of India Regulations on Graduate Medical Education 1997 and declare the same as illegal and unconstitutional and consequently direct the respondents 1 and 2 to to declare the petitioner having Register No.52076388 as "Pass" in the University examination August 2011 in the papers "Community Medicine" in the Third year Part-I MBBS course 2010-2011 and consequently direct the respondents 1 and 2 to issue pass mark sheet to enable the petitioner to proceed with his Third Year Part-II examination forthwith; and (ii) WP.27447/2011 - Writ of Declaration, declaring that the guidelines dated 14.01.2011 Ref. Rc.No.ACAD-I(3)/18100/10 introduced/followed by the First Respondent in so far as the same insisting minimum of 50% marks individually in the sub-branches of every subject including the subject Theory and Practicals in "General Surgery" as contrary to Regulation 12(4) of the Medical Council of India Regulations on Graduate Medical Education 1997 and declare the same as illegal and unconstitutional and consequently direct the respondents 1 and 2 to grant two grace mark to the petitioner in the Subject Paediatrics and declare the petitioner having Register No.52061302 as "Pass" in the University examination in the papers "General Surgery and Paediatrics" in the Final year MBBS course 2010-2011 August 2011 examination.



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For the Petitioners : Mr. S.Thanka Sivan (both Wps)
For the Respondents : Mr. S.Wilson
(both WPs.) : for RR 1 & 2
: Mrs. Subharanjani Anandh for R-3
: Mr. U.Bharanidharan
Addl. Govt. Pleader for R-4
: Mr.G.Sankaran, Sr. Counsel
for Mr. Jayamallan R-5
* * * * *

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.

These writ petitions as such 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/Maya

THE HON'BLE CHIEF JUSTICE



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AND
P.D.AUDIKEVALU, J.

(sra)

To:

1. The Registrar
Tamil Nadu Dr. M.G.R. Medical University
No.69, Anna Salai, Guindy, Chennai – 600 032.
2. The Controller of Examination
The Tamil Nadu Dr. M.G.R. Medical University
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