



W.P.No.17964 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2023

CORAM :

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

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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K.M.Krishnan

.. Petitioner

VS

- 1.The Central Vigilance Commissioner,
Satarkata Bhavan,
New Delhi-110 023.
- 2.The Secretary,
Government of India,
Ministry of Health and Family Welfare,
Nirman Bhawan, C Wing,
New Delhi-1.
- 3.The Secretary General,
Board of Governors in Supersession of
Medical Council of India,
Pocket-14, Sector-8,
Dwarka Phase-I
New Delhi-110 077.
- 4.The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai-600 008.



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- 5.The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George,
Chennai-9.
- 6.The Vice Chancellor,
Tamilnadu Dr. M.G.R. Medical University,
Guindy, Chennai-32.
- 7.The Director of Medical Education,
Kilpauk, Chennai-10.
- 8.The Secretary,
Selection Committee,
No.162, Periyar EVR High Road,
Kilpauk, Chennai-10.
- 9.Dr.Selvaraj,
Secretary, Selection Committee,
No.162, Periyar EVR High Road,
Kilpauk, Chennai-10.
- 10.Sri Muthukumaran Medical College Hospital
and Research Institute,
rep. by its Managing Trustee,
Chikkarayapuram, Near Mangadu,
Chennai-600 069.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing 1st and 2nd respondents to take necessary action against 3rd and 6th respondents for continuing the recognition and affiliation to the 10th respondent medical college which is unauthorised construction as per the enforcement action taken by the 4th respondent.



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For the Petitioner : Mr.S.Sathish

For the Respondents : Mr.Venkataswamy Babu
SPC
for respondents 1 and 2

: Mrs.Shubharanjani Ananth
for respondent No.3

: Mrs.P.Veena Suresh
Standing Counsel
for respondent No.4

: Mr.K.Karthik Jagannath
Government Advocate
for respondent No.5

: Mrs.Sneha
for respondents 7, 8 and 9

: Mr.G.Masilamani
Senior Counsel
for Mr.M.Vishnu Venkatesh
for respondent No.10

: No Appearance
for respondent No.6



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ORDER

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

Heard Mr.S.Sathish, learned counsel for the petitioner; Mr.Venkataswamy Babu, learned SPC for respondents 1 and 2; Mrs.Shubharanjani Ananth, learned counsel for respondent No.3; Mrs.P.Veena Suresh, learned Standing Counsel for respondent No.4; Mr.K.Karthik Jagannath, learned Government Advocate for respondent No.5; Mrs.Sneha, learned counsel for respondents 7 to 9; and, Mr.G.Masilamani, learned Senior Counsel for Mr.M.Vishnu Venkatesh, learned counsel for respondent No.10.

2. The petitioner claims to be a social activist.

3. The present petition is filed seeking directions against respondents 1 and 2 to take necessary action against respondents 3 and 6 for continuing the recognition and affiliation to the tenth respondent medical college, which is an unauthorised construction.



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4. It would appear that the petitioner had earlier filed W.A.No.2895 of 2019. The said appeal was dismissed by a Division Bench of this Court under judgment and order dated 28.8.2019 with cost of Rs.1.00 lakh. It also appears that W.P.Nos.11467 of 2021 and 3490 of 2022 and W.A.No.324 of 2022 were filed by the Doctors Welfare Association of Tamil Nadu. In W.P.No.11467 of 2021 directions were sought to inspect Sri Muthukumaran Medical College Hospital and Research Institute and to find out whether the building satisfies the norms prescribed by the third respondent therein and is established in the lands exclusively required to be earmarked for the said medical college. The writ petitions and the writ appeal were dismissed by a Division Bench of this Court under judgment and order dated 16.8.2022 observing that the writ petitions and the writ appeal are practically filed by Mr.K.M.Krishnan though in the name of the Doctors Welfare Association to avoid the embargo of the cost of Rs.1.00 lakh imposed on him. The present writ petition is filed seeking directions against respondents 1 and 2 to take necessary action against respondents 3 and 6 for continuing the recognition and affiliation to respondent No.10.



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5. Practically, for the same purpose, by just a cosmetic change of relief, successive petitions are filed by the very same petitioner.

6. Learned counsel for the petitioner is not aware as to whether the cost of Rs.1.00 lakh, as directed by the Division Bench of this Court in W.A.No.2895 of 2019 under the judgment and order dated 28.8.2019, is deposited by the petitioner.

7. As successive petitions are filed practically for the same relief, we are not inclined to entertain the present writ petition.

8. The writ petition is dismissed with costs. Costs in cause. Consequently, W.M.P.No.17377 of 2019 is closed.

(S.V.G., C.J.)

(D.B.C., J.)

15.11.2023

Index : Yes/No
Neutral Citation : Yes/No
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