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WP Nos.26980 and 28884 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM :

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

AND

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

WP Nos.26980 and 28884 of 2017

and WMP Nos. 31096 to 31098, 28777 and 28778 of 2017

W.P.No.26980 of 2017

Dr.M.Dhukkaram

.. Petitioner

-VS-

1. The Government of Tamilnadu,
Rep. by its Chief Secretary,
Fort St. George, Chennai 600 009.
2. The Government of Tamilnadu,
Rep. by Principal Secretary,
Health and Family Welfare Department,
Fort St. George, Chennai 600 009.
3. The Secretary,
Dental Council of India,
Temple Lane, Kotla Road,
New Delhi 110 002.

4. Dr.S.M.Balaji

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in G.O. (Ms.) No.335 dated 19.09.2017, Health and Family Welfare (Z1) Department and quash the same as illegal



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and unconstitutional and to formulate procedure in respect of appointment of nominated member U/s 3(e) of Dentists Act, 1948 and make a health competition among the persons in Medical Register and Dental Register of the State to choose the correct person in order to achieve the object of the Act.

W.P.No.28884 of 2017

Dr.George Paul

.. Petitioner

-VS-

1. State of Tamilnadu,
Rep. by its Secretary,
Ministry of Health and Family Welfare Department,
St. Fort George, Chennai 600 009.
2. Government of India,
Rep. by its Secretary,
Ministry of Health and Family Welfare,
Room No.348, 'A' Wing, Nirman Bhavan,
New Delhi 110 011.
3. The Dental Council of India,
Rep. by its Secretary,
Aiwan-E-Galib Marg,
Kotla Road, Temple Lane,
Opp.Mata Sundari College for Women,
New Delhi 110 002.
4. The Medical Council of India,
Rep. by its President, Pocket-14,
Sector-8, Dwarka Phase-1,
New Delhi 110077.

5. Dr.S.M.Balaji

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records



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relating to the issuance of G.O. (Ms.) No.335, Health and Family Welfare (Z1) Department dated 19.09.2017 on the file of the 1st respondent and quash the same as illegal and unconstitutional and further issue a direction directing the 1st respondent to formulate procedure with regard to the nomination of Members representing the State of Tamilnadu before the Dental Council of India.

For the Petitioner in

WP.26980/2017 : Mr.K.Gopi
WP.28884/2017 : Mr.B.Gurusamy

For the Respondents in

WP.26980/2017 : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mr.U.Baranidharan
Addl. Government Pleader,
for RR 1 and 2
: Mr.S.Haja Mohideen Gisthi for R-3
: Mr.Krishnakumar
for M/s.Sarvabhauman Associates
for R-4

WP.28884/2017 : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mr.U.Baranidharan
Addl. Government Pleader,
for R-1
: Mr.V.Chandrasekaran
Special Panel Counsel for R-2
: Mr.S.Haja Mohideen Gisthi for R-3
: Mrs.Subharanjani Anandh for R-4
: Mr.Krishnakumar
for M/s.Sarvabhauman Associates
for R-5

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COMMON ORDER

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

The learned counsel for the petitioners, on instructions, submit that with the passage of time, nothing survives in the present matters.

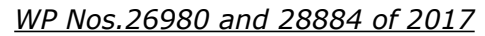
The writ petitions, as such, are disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(P.D.A., J.)

28.06.2023

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



1. The Chief Secretary,
Government of Tamilnadu,
Fort St. George, Chennai 600 009.
2. The Government of Tamilnadu,
Rep. by Principal Secretary,
Health and Family Welfare Department,
Fort St. George, Chennai 600 009.
3. The Secretary to Government of India,
Ministry of Health and Family Welfare,
Room No.348, 'A' Wing, Nirman Bhavan,
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4. The Secretary,
Dental Council of India,
Aiwan-E-Galib Marg,
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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESAVALU, J.

(sra)

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