



WEB COPY

W.P.No.33793 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.33793 of 2023

and

W.M.P.No.33641 of 2023

Karpaga Vinayaga Institute of Medical Sciences,
Rep. by its Principal,
GST Road, Chinnakolambakkam,
Madhuranthagam Taluk - 603 308.

.. Petitioner

VS

- 1.The State of Tamil nadu
Rep. by its Secretary,
Department of Health and Family Welfare,
Fort St.George, Chennai - 600 009.
- 2.The Director of Medical Education,
College Road, Chennai - 600 006.
- 3.The Secretary,
The Selection Committee,
Directorate of Medical Education,
Kilpauk, Chennai - 600 010.
- 4.The Tamil Nadu Dr.MGR Medical University,
Rep. by its Registrar,
No.69, Anna Salai, Guindy,
Chennai - 600 032.
- 5.The National Medical Commission,
Rep. by its Secretary,
Pocket - 14, Sector - 8,
Dwarka Phase - I,
New Delhi - 110 077



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6.The Directorate General of Health Services
Rep. by its Director
Ministry of Health & Family Welfare,
Government of India,
Nirman Bhawan, New Delhi - 110 011

7.K.Harish

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing 3rd respondent to forthwith allot the next meritorious candidate to the vacant M.D.(General Medicine) seat under NRI quota in the petitioner college in the special stray vacancy counselling for the academic year 2023 - 2024 and to further direct the respondents 2,4,5 & 6 to approve the admissions.

For Petitioner : Ms.Dakshayani Reddy,
Senior Advocate
for Mr.Richardson Wilson

For Respondents : Mr.P.Anandakumar,
Government Advocate
for R1, R2
Ms.M.Sneha for R3
Ms.Shubaranjani Ananth for R5
Mr.V.Chandrasekaran, SPC
for R6

ORDER

Heard the detailed submissions of Ms.Dakshayani Reddy, learned Senior Advocate, appearing for Mr.Richardson Wilson, learned counsel on record and Ms.Sneha, learned counsel, for R3, who is the contesting respondent.

2. The petitioner institution seeks a mandamus directing R3 to



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forthwith allot the next meritorious candidate to the vacant M.D.(General Medicine) seat under NRI quota in the petitioner college in the special stray vacancy counselling for academic year 2023 - 2024 and further direct other respondents to approve the admission so made.

3. This matter has been heard on 29.11.2023, 30.11.2023, 08.12.2023, 12.12.2023, 14.12.2023 and 20.12.2023 and the Court, awaited the decision of the First Bench in a batch of writ petitions / writ appeal challenging the selection process for the admission to PG Course / Diploma course in the State of Tamil Nadu. The matters came to be disposed on 21.12.2023 by the Bench holding that vacancies could be filled up with candidates who had choice locked their seats prior to 30.11.2023.

4. The petitioner in this case had admitted the 7th respondent who, however, preferred to join a medical college in Andhra Pradesh, leaving the seat allotted to him vacant. It is this seat that the petitioner now wishes to have filled by way of the present writ petition.

5. In light of the above development as recorded above, especially paragraph 3, no positive directions can be granted and instead it is left open to the petitioner to approach the respondents seeking necessary and appropriate orders.



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6. Writ petition stands disposed in terms of this order. No costs. Connected miscellaneous petition is closed.

22.12.2023

Index:Yes/No
Neutral Citation:Yes
ssm

To

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DR. ANITA SUMANTH,J.

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