



WEB COPY



WP(MD)No.25198 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**WP(MD)No.25198 of 2023
and
WMP(MD)No.21398 of 2023**

Maria Ayurveda Medical College & Hospital,
Rep.by the Principal,
Dr.V.S.Symala Devi, Kulathadivillai,
Moovatumugham Post, Thiruvattar,
Attoor, Kanyakumari District.

... Petitioner

v.

- 1.Under Secretary to Government of India,
Ministry of Ayush, Government of India,
Ayush Bhawan, 'B' Block,
GPO Complex, INA, New Delhi – 110 023.
- 2.The Secretary,
National Commission for Indian System
Medicine, 61-65, Institutional Area,
'D' Block, Janakpuri, New Delhi – 110 058.
- 3.The President,
Medical Assessment and Rating Board for
Indian System Medicine,
61-65, Institutional Area,
'D' Block, Janakpuri, New Delhi.
- 4.The State, rep.by its Secretary,
Ministry of Health and Family Welfare,
St.George Fort, Chennai.



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5.The Tamil Nadu Dr.MGR Medical University,
Rep.by its Registrar, Annasalai,
Guindy, Chennai.

6.The Commissioner / Director,
Homeopathy, Arumbakkam,
Chennai – 600 106.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 2 and 3 to grant permission to admit students in the intake of 60 seats for Bachelor of Medicine and Surgery Course (BAMS) and further direct the respondents 2 to 6 to include the name of the petitioner college in the counselling for admission of students for the academic year 2023-24 on the basis of the representation dated 14.10.2023.

For Petitioner : Mr.B.Saravanan, Senior counsel
for Mr.S.Ramsundarvijayraj

For Respondents : Mr.K.Govindarajan,
Deputy Solicitor General of India for R1

Mr.N.Dilipkumar for R2 and R3

Mr.S.Ra.Ramachandran,
Additional Government Pleader for R4 and R6

Mr.S.Ramesh for R5



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ORDER

Heard both sides.

2.The petitioner is an educational institution imparting collegiate education in Ayurveda. The petitioner obtained approval from the second respondent in the year 2015. The petitioner was saddled with penalty on the ground that seven of the teachers said to have been employed by them were actually paper teachers/ghost teachers. The said penalty has been set aside by me. The learned Senior Counsel for the petitioner states that counselling for the next academic year is to be held on 26.10.2023. On account of the pendency of the proceedings, which were concluded only today, the petitioner could not upload necessary details which would enable the petitioner to participate in the said counselling.

3.Since the writ petitions filed by the petitioner have been concluded today, there cannot be any impediment for the petitioner to participate in the counselling. The learned standing counsel for the commission points out that the petitioner can participate in the counselling only if he fulfils all the requirements. He states that LOI will be issued only if all the requirements



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are met followed by LOP. The petitioner is virtually racing against time.

Therefore, the respondents 2 and 3 will take note of the same. I will not accept that since holidays have been announced from tomorrow, facilities could not be provided to the petitioner to upload the details. Since the writ petitions have been concluded only today, without waiting for the order copy, all other formalities that are required to be done from the end of the second and third respondents shall be carried out. The learned Senior Counsel for the petitioner states that the petitioner would confine his claim only to sixty students for the academic year 2023-24. The claim on post graduate course has also been given up for the present. The petitioner shall upload the necessary applications today itself (20.10.2023).

4.This writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

20.10.2023

Index : Yes / No
Internet : Yes / No
Skm

Issue order copy today.



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Rep. by its Registrar, Annasalai, Guindy, Chennai.
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G.R.SWAMINATHAN, J.

SKM

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