



W.P.No.697 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.697 of 2022

And

W.M.P.Nos.745, 746 and 747 of 2022

Turiya Kathyayani Kolagani

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by its The Principal Secretary
Health and Family Welfare Department,
Fort St.George,
Secretariat,
Chennai – 600 009.
- 2.The Director
Directorate of Indian Medicine and Homoeopathy,
Aringar Anna Govt. Hospital of Indian Medicine Campus,
Arumbakkam,
Chennai – 600 106.
- 3.The Secretary
Selection Committee
Directorate of Indian Medicine and Homoeopathy,
Aringar Anna Govt. Hospital of Indian Medicine Campus,
Arumbakkam,
Chennai – 600 106.
- 4.Central Council of Indian Medicine
Jawahar Lal Nehru Bhartiya Chikitsa Avam
Homoeopathy Anusandhan Bhawan,
61-65, Institutional Area,
Janakpuri "D" Block,
New Delhi – 110 058.



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5.The Registrar,
The Tamil Nadu Dr.M.G.R.Medical University,
No.69, Anna Salai,
Guindy,
Chennai – 600 032.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration to declare that clause 5(a) and 4(a) appearing under caption Ineligibility criteria set out in the prospectus as per G.O. (D).Nos.1347, 1348, 1349/Health and family Welfare [IM I-2] Dept. dated 20.12.2021 for admission to BSMS/BAMS/BHMS in Tamil Nadu government under Government/Management/All India quota seats in Self Financing Indian Medicine and Homeopathy Medical colleges for the year 2021 – 2022 session issued by the 3rd respondent as illegal, arbitrary and violative of Article 14 and 19(1) (g) of the Constitution of India, in so far as the said clause has made the candidates who have passed 10+2 from Open School shall not be eligible to apply for BSMS/BAMS/BHMS Degree courses consequently direct the 3rd respondent to call the petitioner for counselling based on her applications filed on 05.01.2022 and 06.01.2022 for B.A.M.S. Seat and allot the petitioner to any one of the colleges set out in the prospectus for the session 2021 – 2022 based on her National Eligibility Cum Entrance Test (NEET) score.

For Petitioner : Mr.V.Chandraprabu
For Respondents : Mr.LSM.Hasan Fikal for R1 to R3
Additional Government Pleader
Mr.Vellayaraj for R4
for M/s.V.K.Raj Law Chambers
Mr.A.Mohd. Gouse for R5



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ORDER

The learned counsel appearing for the petitioner submits that the relief sought for in this writ petition has become infructuous and hence the writ petition may be dismissed as infructuous.

2.In view of the above submission made by the learned counsel appearing for the petitioner, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

06.08.2024

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The Principal Secretary
Health and Family Welfare Department,
Fort St.George,
Secretariat,
Chennai – 600 009.
- 2.The Director
Directorate of Indian Medicine and Homoeopathy,
Aringar Anna Govt. Hospital of Indian Medicine Campus,
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- 3.The Secretary
Selection Committee
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