



WEB COPY



W.P. No. 39127 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 39127 of 2024

and

W.M.P. No. 42377 of 2024

Excel Homoeopathy Medical College,
Rep., by its Authorised Signatory,
Ranganoor Road, Pallakkapalayam,
Sankari West Post,
Kumarapalayam Taluk,
Namakkal – 637 303.

... Petitioner

Vs.

- 1.The Director of Indian Medicine and Homeopathy,
Directorate of Indian Medicine and Homeopathy,
Arignar Anna Hospital Campus,
Arumbakkam, Chennai – 600 106.
- 2.The Tamil Nadu Dr. MGR Medical University,
rep., by its Registrar,
No.69, Anna Salai Road,
Guindy, Chennai – 600 032.
- 3.The Secretary,
Selection Committee,
Directorate of Indian Medicine and Homoeopathy,
Arignar Anna Hospital Campus.



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4.M/S. National Commission for Homeopathy,
Jawahar Lal Nehru Bhartiya Chikitsa Avum
Homeopathy Anusandhan Bhawan,
61-65, institutional Area, Opp D Blocck, Janakpuri
New Delhi – 110 058.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents herein to consider the representation dated 16.12.2024 and 17.12.2024 to conduct mop-up round of counselling to fill up the stray vacancy seats in UG programme of Homoeopathy course for academic year 2024-2025 in line with the recent communication of the National Commission for Homoeopathy dated 10.12.2024.

For Petitioner : Mr. Kandhan Duraisami
For Respondents : Mrs. M. Sneha, Spl. Counsel for RR1 & 3
Mr. A. Mohammed Ghouse, for R2
Mr. R. Rajesh Vivekanandhan, for R4

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus directing the respondents to consider the representation dated 16.12.2024 and 17.12.2024 to conduct mop-up round of counselling to fill up the stray vacancy seats in UG programme of Homoeopathy course for academic year 2024-2025 in line with the recent communication of the National Commission for Homoeopathy dated 10.12.2024.

2. Learned counsel for the petitioner would submit that the first counselling held on 21.10.2024, 48 students were sponsored and joined. The second counselling held on 15.11.2024, 3 more students were sponsored and joined. At the end of third



counselling held on 10.12.2024 only 8 students joined, till the last date, i.e., 16.12.2024. Immediately on 16.12.2024, the petitioner institution sent the list of 59 admitted candidates. The petitioner institution intimated that one vacant seat is available in their institution and requested the authorities to conduct supplementary /mop-up counselling.

2.2. The National Commission for Homoeopathy, in its communication dated 10.12.2024 directed the State Government/Union Territories to conduct counselling to fill up the stray vacancy seats in Homoeopathy courses on or 20.12.2024. As no schedule for conducting counselling for filling stray vacancy seats in Homoeopathy courses, the petitioner institution sent a E-mail on 17.12.2024 to the authorities concerned requesting them to conduct the supplementary / mop-up counselling, alternatively they requested to grant permission to fill the vacant seat as lapsed seat with NEET qualified candidate. As there is no response from the respondents, the petitioner institution has constrained to file this writ petition.

3. During the course of hearing, Mrs.M.Sneha, the learned Special Government Pleader, Mr.A.Mohammed Ghouse, the learned Standing Counsel for the second respondent and Mr.Rajesh Vivekanandham, learned counsel for the fourth respondent would submit that the National Commission for Homoeopathy has sent a communication dated 20.12.2024 for extension in the cut off date / last date for admission in Homoeopath – Undergraduate and Postgraduate Courses for the



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academic year 2024-25, wherein it is made it clear that the cut off date for admission in Undergraduate and Postgraduate courses in Homoeopathy shall be 31.12.2024 and concerned authorities are directed to take necessary steps to fill up the vacant seats for the year 2024-25 with all eligible and qualified candidates.

4. In the light of the instructions of the fourth respondent dated 20.12.2024, the learned counsel appearing for the respondents 1 to 3 submits that before 31.12.2024, they will conduct one more counselling to fill the stray vacancies with the eligible and qualified candidates. The statement of the learned counsel is placed on record.

5. Having heard the submissions of the respective counsel and on perusal of the material available on record, this Writ petition is disposed of with a direction to the third respondent to conduct counselling to fill all the unfilled seats in Undergraduate and Postgraduate Courses of Homoeopathy for academic year 2024-25 with eligible and qualified candidates to fill up all the vacant seats.

21.12.2024

Index :Yes/No

Neutral Citation :Yes/No

AT

To

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