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W.P. No. 39309 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 39309 of 2024

and

W.M.P. No. 42564 of 2024

Maria Educational and Charitable Trust,
Rep. by its Authorised Signatory
Chevaracode, Veeyanoor Post,
Kanyakumari District – 629 177.

... Petitioner

Vs.

1.The Director of Indian Medicine and Homoeopathy,
Directorate of Indian Medicine and Homoeopathy,
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,
Arumbakkam,
Chennai 600 106.

... Respondents



W.P. No. 39309 of 2024

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to consider the representation dated 17.12.2024 and 18.12.2024 to conduct mop-up round of counselling to fill up the stray vacancy seats in UG programme of Homeopathy, Siddha and Ayurveda courses conducted by the petitioner for academic year 2024-2025 in-line with the recent communication of the National Commission for Homoeopathy and National Commission for Indian System of Medicine, dated 10.12.2024.

For Petitioner : Mr. Kandhan Duraisami

For Respondents : Mr. A. Mohammed Ghouse, for R2
Mrs. M. Sneha for R1 & R3

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus directing the respondents herein to consider the representations dated 17.12.2024 and 18.12.2024 to conduct mop-up round of counselling to fill up the stray vacancy seats in UG programme of Homoeopathy, Siddha and Ayurveda courses conducted by the petitioner for academic year 2024-2025 in-line with the recent communication of the National Commission for Homoeopathy and National Commission for Indian System of Medicine, dated 10.12.2024.

2. Learned counsel for the petitioner would submit that the first counselling held on 21.10.2024 to 29.10.2024. In the first round of counselling, 31 students were sponsored and joined. In the second counselling held on 15.11.2024, 8 students were



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sponsored and joined in BHMS Course and 13 students were sponsored and joined in BSMS Course and 2 students were sponsored and joined in BAMS Course. At the end of third counselling held on 10.12.2024, 12 students were sponsored and joined in BHMS Course; 12 students were sponsored and joined in BSMS Course and 7 students were sponsored and joined in BAMS Course, till the last date, i.e., 16.12.2024. Immediately on 17.12.2024, the petitioner institution sent the list of 51 admitted candidates. The petitioner institution intimated the 9 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, Siddha and Ayurveda courses on or before 20.12.2024. As no schedule for conducting counselling for filling stray vacancy seats in Homoeopathy, Siddha and Ayurveda courses, the petitioner institution sent an E-mail on 17.12.2024 and 18.12.2024 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 for the respondents 1 and 3 and Mr.A.Mohammed Ghouse, the learned Standing Counsel for the second 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 Homoeopathy, Siddha and Ayurveda – Undergraduate and Postgraduate Courses for the 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 respondents 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, Siddha and Ayurveda Courses for academic year 2024-25 with eligible and qualified candidates to fill up all the vacant seats.



W.P. No. 39309 of 2024

WEB COPY

6. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

21.12.2024

Index :Yes/No

Neutral Citation :Yes/No

AT

To

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