



W.P.No.4377 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM:

THE HONOURABLE MRS. JUSTICE **N.MALA**

W.P.No.4377 of 2024

Dr.Midhun Kishore

... Petitioner

Vs

1. Union of India
Rep.by its Secretary,
Health & Family Welfare
Nirman Bhavan
New Delhi – 110 011.
2. Dental Council of India
Rep.by its Secretary,
Aiwan – E – Ghilab Marg,
Kotla Road, New Delhi 110 002.
3. Tamil Nadu Dr.MGR Medical University
Rep.by its Registrar, 69, Anna Salai,
Guindy, Chennai 600 032.
4. M/s.Rajas Dental College & Hospital
Rep.by its Chairman, Kavalkinaru Junction
Tirunelveli District – 627 105.
5. Kerala Dental Council

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Rep.by TC-27/741 3, P.O.,
Ambalathumukku, Vanchiyoor
Thiruvananthapuram,
Kerala 695 035.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus to direct the 5th respondent to issue a Certificate of Registration as a Dentist under the Dentists Act, 1948 within a stipulated period of time.

For Petitioner : M/s.K.Nivetha

For Respondents : Mr.K.S.Jeyaganeshan
Senior Panel Counsel for R1
Mr.Subramanian Vaidhyanathan for R2
Mr.G.Arumugam
Standing Counsel for R3
No appearance for R4
Mr.Salai Varun for R5

ORDER

This writ petition has been filed for issuance of a writ of mandamus to direct the 5th respondent to issue a Certificate of Registration as a Dentist under the Dentists Act, 1948.



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2. The petitioner successfully finished his BDS from a reputed college and got registered with the Kerala Dental Council in the month of September 2016. Subsequently, he decided to pursue his Masters (MDS). After completing his BDS he appeared for NEET-MDS 2017 and successfully qualified in the examination, obtaining an all India Rank of 7021. In the counseling for admission to MDS courses, he selected MDS (Periodontology) and was allotted a seat in the 4th respondent College. The petitioner successfully completed his MDS course. In spite of having completed the course and received a recognised degree from the third respondent, the fifth respondent did not recognise the same. Therefore the petitioner filed the above writ petition.

3. From the averments made in the writ petition it is clear that the relief is claimed only against the fifth respondent, therefore the jurisdictional Court will be the Kerala High Court to consider the prayer of the petitioner. Hence in my view the writ petition is not maintainable before this Court as no relief is sought against other respondents. Under the circumstances, the petitioner is given liberty to approach the Kerala



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High Court for the relief sought in the writ petition.

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4. With the above direction, the writ petition is disposed of. No costs.

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dpq
Index: Yes/No
Speaking order / Non speaking order



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N.MALA, J.



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