



WEB COPY

W.P.No.13565 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

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THE HONOURABLE Mr. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.13565 of 2023

and

WMP.Nos.13240, 13242 & 13243 of 2023

Nandha siddha Medical College Hospital
Represented by its Principal
Pitchandampalayam, Post Erode 638 052

... Petitioner

Vs.

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

2.The Selection Committee
represented by its Secretary,
Directorate of Indian Medicine and Homoeopathy,
Arignar Anna Government Hospital campus
Rumbakkam Chennai 600 106

3.The Tamilnadu Dr. M.G.R. Medical University
represented by its Registrar
Anna Salai,
Guindy Chennai 600 032

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Certiorarified Mandamus, Calling for the



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records of the respondents relating to the order of the 3rd Respondent in

Lr. No . Ex.Iv / (1) / 23214 /2022 dated 07.02.2023 and quash the same

and directing the Respondents herein to forthwith approve the candidature

of Madhumitha M for admission to BSMS Degree course 2021-2022

session in the petitioner college.

For Petitioner : M/s.Kandhan Duraisami

For Respondents : Mr.A.Mohammed Gouse,
Standing Counsel for R.3.

: Mr.K.Tippu Sultan, Govt. Advocate
for R.1 & R.2

ORDER

This writ petition has been filed to call for the records of the respondents relating to the order of the 3rd Respondent in Lr. No . Ex.Iv / (1) / 23214 /2022 dated 07.02.2023 and quash the same and direct the Respondents herein to forthwith approve the candidature of Madhumitha M for admission to BSMS Degree course 2021-2022 session in the petitioner college.

2. The writ petitioner herein is a college offering Bachelor of Ayurvedic Medicine and Surgery. Their approved intake was 60 seats. It is seen that even after several phases of counselling, one seat remained



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vacant. Therefore, the petitioner admitted one eligible candidate under the lapsed seat category and requested the authorities to approve and ratify the same. However, the 3rd respondent issued a letter dated 07.02.2023 directing the petitioner to take necessary steps to discharge the candidate, namely, M.Madumitha. Hence, the present writ petition has been filed.

3. Heard, the learned counsel appearing on either side and perused all the materials placed before this Court.

4. It is brought to the notice of this Court that in a similar matter in W.P.No.29517 of 2025 dated 09.09.2025, this Court directed the respondents to approve the candidature of one similarly placed candidate in line with the order of this Court passed in WP.No.693 of 2022 dated 13.05.2022

5. A perusal of the order passed in WP.No.693 of 2022 indicates that this Court, under identical circumstances, relying upon the judgement of the Hon'ble Supreme Court reported in **2021 SCC Online 318 - Index Medical College Hospital and Research Centre Vs. State of Madhya Pradesh and others** allowed the Writ Petition, holding that the college



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Managements were well within their rights to fill up the vacant seats in the respective course.

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6. In the light of the above, the impugned order passed by the 3rd respondent dated 07.02.2023 is set aside and the respondents are directed to forthwith approve the candidature of Madhumitha M admitted in BAMS Degree Course 2020-2021 session in the petitioner College under the Lapsed Seat Category.

7. With the above directions, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

24.09.2025

Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

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G.K. ILANTHIRAIYAN. J.,

(shr)

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