



WEB COPY



W.P.No.37762 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM :

THE HONOURABLE MR JUSTICE P.B.BALAJI

W.P.No.37762 of 2025

and

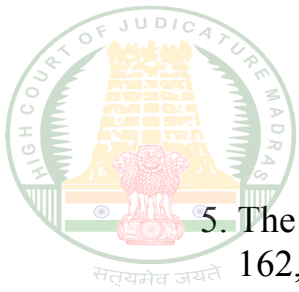
WMP.No.42231 of 2025

Ragas Dental College & Hospital
Represented by its Secretary,
2/10, East Coast Road, Uthandi,
Chennai- 600 119.

... Petitioner

Vs.

1. The Directorate General of Health Services
Medical Counselling Committee,
Nirman Bhavan, Govt. of India,
New Delhi.
2. The Ministry of Health and Family Welfare
Rep. By its Secretary to the Government of India
Dental Education Section, Nirman Bhavan,
New Delhi.
3. The Dental Council of India,
Rep. By its Secretary,
National Dental Commission Building
Plot No.14, Near Sangam Cinema
Sector – 9, R.K.Puram, New Delhi – 110 022.
4. The Principal Secretary to
Government of Tamil Nadu
Department of Health and Family Welfare,
Fort St. George, Secretariat,
Chennai – 600 009.



W.P.No.37762 of 2025

5. The Director of Medical Education Research
162, Periyar E.V.R High Road, Kilpauk,
Chennai – 600 010.

6. The Tamil Nadu Dr.M.G.R.Medical University
Rep. By its Registrar, Guindy, Chennai

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to extend the counselling date for the admission of MDS Courses and to conduct stray or fresh counselling session to fill up the vacant seats under Government quota for MDS course in petitioner's institute and pass orders.

For Petitioner : Mr.P.Muthusamy

For Respondents : Mrs.M.Sneha
Special Government Pleader
for R4 & R5

ORDER

The Writ Petition has been filed to direct the respondents to extend the counselling date for the admission of MDS Courses and to conduct stray or fresh counselling session to fill up the vacant seats under Government quota for MDS course in the petitioner's institute.

2. The learned counsel for the petitioner states that the petitioner is seeking extension of time for counselling to admission of MDS Courses



W.P.No.37762 of 2025

and also permission to conduct stray or fresh counselling session to fill up the vacant seats under Government quota for MDS course.

3. The learned counsel for the petitioner invited my attention to the order of the Hon'ble Supreme Court in ***Era Lucknow Medical College and Hospital Vs. State of Uttar Pradesh and Ors.*** reported in ***2024 SCC Online 3888***, wherein, the Hon'ble Supreme Court held that seats should not go waste and the authorities should take conscious decision to ensure that the vacant seats are filled up.

4. The learned Special Government Pleader appearing for the fourth and fifth respondents would submit that the seats are yet to be filled up, subject to the first respondent scheduling fresh counselling, the fourth and fifth respondents have no objection for extension being granted as admittedly seats are vacant as on today.

5. The Hon'ble Supreme Court's directions have also been followed by the Rajasthan High Court at Jodhpur in ***Federation of Private Medical and Dental College of Rajasthan, through its Authorized Signatory Puneet Makhjia, Vs. Chairman, Neet PG Medical and Dental***



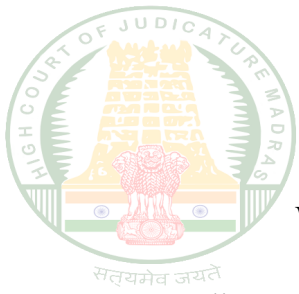
W.P.No.37762 of 2025

Admission/Counselling Board – 2025 and Principal and Controller,

SMS Medical College and attached Hospitals, Jaipur and 4 ors, in

S.B.Civil W.P.No.17900 of 2025, wherein, it has been held that the vacant seats can be filled up and for such purpose, time for counselling can be extended, while making it clear that stray or special counselling process would not disturb the admissions that have already been finalized and new admissions would be made only from the waiting list candidates and not from any other source.

6. In the light of the above, I am inclined to allow this Writ Petition and accordingly, this Court directs the first respondent to release a fresh schedule for counselling for admission of MDS Course to fill up vacant seats under the Government quota. It is made clear that the vacant seats shall be filled up from amongst the waitlisted candidates and the Selection Committee appointed by the Directorate of Medical Department shall finalize the admissions. The reschedule process shall be set out by the first respondent within a period of four weeks from the date of receipt of a copy of this order and the extended counselling shall be concluded by the end of November in order to fill up the vacancies.



W.P.No.37762 of 2025

With the above observations and directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

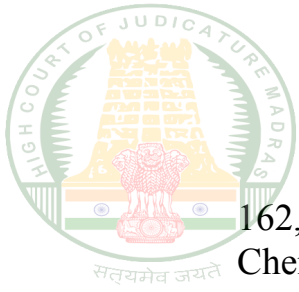
No costs.

03.10.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes / No
dh/vum

To

1. The Directorate General of Health Services
Medical Counselling Committee,
Nirman Bhavan, Govt. of India,
New Delhi.
2. The Ministry of Health and Family Welfare
Rep. By its Secretary to the Government of India
Dental Education Section, Nirman Bhavan,
New Delhi.
3. The Dental Council of India,
Rep. By its Secretary
National Dental Commission Building
Plot No.14, Near Sangam Cinema
Sector – 9, R.K.Puram, New Delhi – 110 022.
4. The Principal Secretary to
Government of Tamil Nadu
Department of Health and Family Welfare,
Fort St. George, Secretariate,
Chennai – 600 009.
5. The Director of Medical Education Research



W.P.No.37762 of 2025

162, Periyar E.V.R High Road, Kilpauk,
Chennai – 600 010.

WEB COPY

6. The Tamil Nadu Dr.M.G.R.Medical University
Rep. By its Registrar, Guindy, Chennai



WEB COPY



W.P.No.37762 of 2025

P.B.BALAJI,J.,

dh/vum

W.P.No.37762 of 2025

03.10.2025