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W.A No. 3350 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

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THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No. 3350 of 2025

Takshashila Medical College,
Affiliated to Takshashila University
Represented by its Registrar
Ongur Post, Tindivanam Taluk,
Villupuram District,
Tamil Nadu -604305

..Appellant

Vs

1.Union of India
Represented by its Secretary,
Department of Health and Family Welfare Department
(Medical Education -I)
Government of India,
New Delhi.

2.The National Medical Commission
Represented by its Secretary
Pocket 14 Sector, Dwarka,
Phase-1, New Delhi-77.

3.Medical Assessment and Rating Board (MARB)



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The National Medical Commission
Represented by its President,
Pocket 14 Sector, Dwarka,
Phase-1, New Delhi-77.

4.Principal Secretary to Government
Department of Health and Family Welfare
Secretariat,
Chennai, Tamil Nadu.

..Respondents

Writ Appeal is filed under Clause 15 of Letter Patent to set aside the order dated 24.10.2025 passed in W.P.No. 39896 of 2025.

For Appellant: Mr.C.Sellapandian
For Mr. B. Balavijayan

For Respondents : M/s.Subharanjani Ananth, Standing
Counsel – R2 & R3
Mr. M. Bindran, AGP - R4

JUDGMENT

(Made by ***HEMANT CHANDANGOUDAR, J.***)

This intra-court appeal is directed against the order dated 24.10.2025 passed by the learned Single Judge in W.P. No. 39896 of 2025, whereby the writ petition filed by the appellant was dismissed. By the said order, the learned



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Single Judge rejected the claim of the appellant/writ petitioner, who had sought a direction to the 3rd respondent to reassess and grant approval/permission for 150 MBBS seats.

2. The appellant is a constituent college of Takshashila University, a private university, and intended to commence the MBBS course. For that purpose, it submitted an application to the 3rd respondent seeking permission to admit 150 students to the MBBS programme. Upon inspection, the 3rd respondent observed that the appellant did not possess the requisite infrastructure and facilities necessary to accommodate 150 students and, accordingly, rejected the proposal. Aggrieved, the appellant preferred an appeal before the 2nd respondent, who, after consideration, granted approval for 50 MBBS seats. A further appeal was carried to the 1st respondent, who, upon examination of the matter, granted approval for 100 MBBS seats for the academic year 2025–2026.



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3. The appellant contended that the two deficiencies pointed out by the 1st respondent had since been rectified. On that basis, it made a representation before the 3rd respondent seeking reconsideration and reassessment of its proposal for approval of the full 150 MBBS seats. The appellant alleged that the said representation was not considered, compelling it to approach this Court by filing the above-mentioned writ petition.

4. The learned Single Judge, however, dismissed the writ petition, holding that the process of counselling for admission to the MBBS course had already commenced and that directing the 3rd respondent to reassess the proposal at that stage would render the order passed by the 1st respondent redundant. Nonetheless, the learned Judge preserved the right of the appellant to seek an increase in intake capacity for the next academic year. Being aggrieved by this order, the appellant has filed the present writ appeal.

5. We have heard the learned counsel appearing for both sides and carefully perused the materials placed on record.

6. The order passed by the 1st respondent granting permission to the



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appellant for 100 MBBS seats for the academic year 2025–2026 has already attained finality. In these circumstances, the appellant's request for a direction to the 3rd respondent to reconsider and reassess the approval for 150 MBBS seats for the current academic year cannot be entertained. Since the counselling process for the present academic year has already commenced and is at its concluding stage, any such direction would not only nullify the order of the 1st respondent but would also create confusion and uncertainty in the ongoing admission process for the MBBS course.

7. The learned Single Judge, taking note of these aspects, has rightly declined to entertain the appellant's claim while preserving its right to seek reconsideration and reassessment of its proposal for the next academic year. We find no infirmity, illegality, or perversity in the impugned order that would warrant interference in this intra-court appeal. The order under challenge is well-reasoned and justified in the facts and circumstances of the case.

8. Accordingly, the writ appeal stands dismissed. There shall be no order



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as to costs.

(R.S.K. J.,) (H.C. J.,)

05.11.2025

Index : Yes / No

Internet : Yes/No

Neutral Citation : Yes / No

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To

1.The Secretary,
Department of Health and Family Welfare Department
(Medical Education -I)
Government of India,
New Delhi

2.The Principal Secretary to Government
Department of Health and Family Welfare
Secretariat,
Chennai,



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