



W.P.(MD)No.7614 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

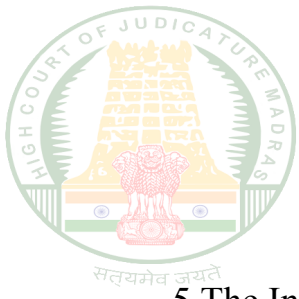
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V.Arunadevi

... Petitioner

-VS-

- 1.The Director General,
Employees State Insurance Corporation,
Panchdeep Bhawan,
Comrade Indrajeat Gupta, Marg,
New Delhi.
- 2.The Health Secretary of Government of India,
Room No.156A, Nirman Bhavan,
New Delhi.
- 3.The Insurance Commissioner,
Employees State Insurance Corporation,
Panchdeep Bhawan,
Comrade Indrajeat Gupta (CIG), Marg,
New Delhi.
- 4.The Medical Commissioner,
Employees State Insurance Corporation,
Panchdeep Bhawan,
Comrade Indrajeat Gupta (CIG), Marg,
New Delhi.



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5.The Insurance Commissioner,
Employees State Insurance Corporation,
Panchdeep Bhawan,
Comrade Indrajeat Gupta (CIG), Marg,
New Delhi.

6.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 9.

7.The Director,
Directorate of Medical Education,
DME Office, Kilpauk, Chennai -10.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to take appropriate action to increase the Reservation Quota for insured persons in MBBS/BDS Course at Employees State Insurance Corporation Medical Colleges, considering the substantial increase in insured persons proportionately to 14.44 Crores beneficiaries in year 2025 as against 15% for 1.55 Crores of insured persons in the year 2012, by considering the petitioner's representation dated 06.03.2025.

For Petitioner	:	Mr.H.Mohammed Imran for M/s.Ajmal Associates
For R1 and R3 to R5	:	Mr.N.Dilip Kumar Standing Counsel
For R6 and R7	:	Mr.V.Om Prakash Government Advocate



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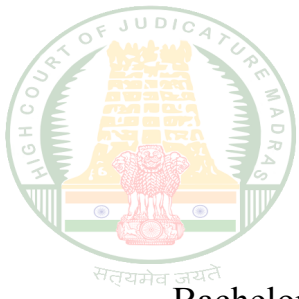
ORDER

This Writ Petition has been filed seeking a direction to the respondents to take appropriate action to increase the Reservation Quota for insured persons in MBBS/BDS Course at Employees State Insurance Corporation Medical Colleges, considering the substantial increase in insured persons proportionately to 14.44 Crores beneficiaries in year 2025 as against 15% for 1.55 Crores of insured persons in the year 2012, by considering the petitioner's representation dated 06.03.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the second respondent, notice to the second respondent is hereby dispensed with.

4. The petitioner claims that in 2012, when the total number of insured persons under the Employees State Insurance Corporation (ESIC) was 1.55 crores, the 15% reservation quota allocated fewer than 436 seats in ESIC Medical Colleges for the Bachelor of Medicine and Bachelor of Surgery (MBBS) and

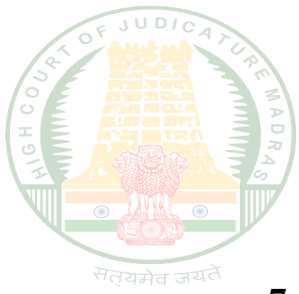


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Bachelor of Dental Surgery (BDS) courses. Despite the substantial growth in insured persons and beneficiaries, the 15% reservation quota has remained unchanged. The petitioner submits that the ESIC Administration should increase the MBBS/BDS reservation quota from 15% to 50% and expand the number of available seats. In this regard, the petitioner submitted a representation on 05.03.2025 to the respondents. Since the representation has not been considered so far, the petitioner has filed the present Writ Petition.

5. Heard the learned counsel appearing for the parties.

6. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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7. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 05.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as all other persons, who may be interested in the subject matter, within a period of three months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

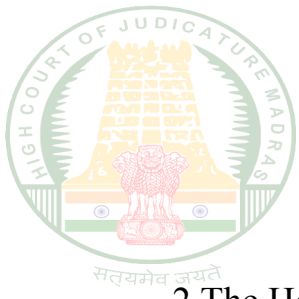
8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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20.03.2025

To

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VIVEK KUMAR SINGH, J.

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