

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 31.08.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM  
and  
The Hon'ble Mr. Justice S.MANIKUMAR  
Writ Appeal Nos.1313 to 1315 of 2000  
and  
W.A.M.P. Nos.11640 to 11642 of 2000

Dr.G.Ponnusamy

... Appellant in  
W.A.No.1313/2000

Dr.A.Rathinavel, M.S.

... Appellant in  
W.A.Nos.1314 & 1315/2000.

vs.

1. The State of Tamil Nadu,  
rep. by its Secretary,  
Department of Health  
& Family Welfare,  
Fort St. George,  
Chennai 600 009.

2. Director of Medical Education,  
No.162, Periyar E.V.R. Road,  
Chennai-600 010.

3. Secretary,  
PG Selection Committee for  
Higher Speciality Courses,  
No.162, Periyar E.V.R. Road,  
Chennai-600 010.

... Respondents in  
all Writ Appeals.

Appeals under Clause 15 of the Letters Patent against the Common Order of the learned Single Judge, dated 24.07.2000, made in W.P. Nos.7494/2000, 7949/2000 & 11989 of 2000.

W.P. Nos.7494/2000 and 7949/2000:- Petition presented under Article 226 of the constitution of India to issue a writ of Declaration to declaring that the reservation of seats on the basis of separate reservation for Service and Private Candidates for Higher Speciality Courses more particular MCh.(Genito Urinary Surgery) Course for the year 2000-2001 of Tamil Nadu Medical Colleges by the respondents is illegal, ultravires the prospectus unconstitutional, null and void and consequently to set aside the selection of candidates with marks lesser than petitioner made on that basis and select the petitioner to the MCh(Genito Urinary Surgery 2000-2001 course on merits.

WP.No.11989/2000:- Petition presented to this Court under Article 226 of the constitution of India to issue of writ of declaration to declaring that G.O. Ms. No.90 Health and Family welfare Department dated 7.4.2000 is null and void in so far as the petitioner concerned the ultravires the constitution and the Judgment of the Hon'ble Supreme Court of India (Dr. Preeti Srivastava -Vs- State of Madhya Pradesh) and consequently direct the respondents not to give effect to the same and make admission to the Higher Speciality course 2000-2001 strictly on merits and for other consequential reliefs.

For Appellants : No Appearance

For Respondents: Mr.M.Sekar,  
Spl. Govt. Pleader

सत्यमेव जयते  
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COMMON JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)  
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When the above Writ Appeals came to be heard on 25.08.2006, no one appeared for the appellants. In order to give one more opportunity, the appeals were directed to be listed to-day. Even to-day, both in the forenoon and in the afternoon, no one appeared

for the appellants. Taking note of the above aspect and of the fact that the Appeals are of the year 2000, we are of the view that no purpose would be served in keeping the the same on file. Consequently, Writ Appeals are dismissed for default. No costs. Connected Miscellaneous Petitions are closed.

JI.

Sd/  
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Secretary, Department of Health & Family Welfare, Fort St. George, Chennai 600 009.
2. The Director of Medical Education, No.162, Periyar E.V.R. Road, Chennai-600 010.
3. The Secretary, PG Selection Committee for Higher Speciality Courses, No.162, Periyar E.V.R. Road, Chennai-600 010.

NTK (CO)  
SR/13.9.2006

Writ Appeal Nos.1313 to  
1315 of 2000.

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