

## IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Special Original Jurisdiction )

Thursday, the Twenty Ninth day of September Two Thousand Sixteen

PRESENT

THE HON'BLE MR JUSTICE B. RAJENDRAN

WMP No.29562 of 2016

IN WP.34265/2016

LORD BALAJI EDUCATIONAL AND CHARITABLE TRUST, REP. BY ITS CHAIRMAN, DR.S. RAJAMANICKOM, SHRI SHELLAPHA HOSPITAL CAMPUS, 231, RAJARAM NAGAR, NEAR GANDHI STADIUM, SALEM-636 007.

[ PETITIONER ]

Vs

1 THE GOVT OF INDIA, REP BY SECY MIN. OF HEALTH & FAMILY WELFARE, DEPT OF AYURVEDA, YOGA & NATUROPATHY, UNANI, SIDDHA&HOMEOPATHY (AYUSH), IRCS ANNEX BULDG, 1, RED CROSS RD, NEW DELHI-1

[ RESPONDENTS ]

2 THE CENTRAL COUNCIL OF HOMOEOPATHY (CCH), REP. BY ITS SECRETARY, JAWAHARLAL NEHRU BHARTIYA CHIKITSA AVUM, NO. 61-65, INSTITUTIONAL AREA, OPP TO D BLOCK, JANAKPURI, NEW DELHI

3 THE COMMISSIONER DIRECTORATE OF INDIAN MEDICINES & HOMOEOPATHY, ARUMBAKKAM, CHENNAI-600 106.

4 TAMIL NADU DR.M.G.R.MEDICAL UNIVERSITY, REP BY ITS REGISTRAR, 69, ANNA SALAI, GUINDY, CHENNAI-600 032.

5 THE CONTROLLER OF EXAMINATIONS THE TAMIL NADU DR.MGR MEDICAL UNIVERSITY, 69, ANNA SALAI, GUINDY, CHENNAI-32.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the 4th and 5th respondent to allow the 100 students mentioned below admitted in the petitioner college (Dr.Mahneeman Homoeopathy Medical College and Research Centre, Koneripatty Panchayat, Rasipuram Taluk, Namakkal District) to the 1st year BHMS 2015-2016 Degree Course, to sit for the 1st Year Examination commencing on 17.10.2016 and publish the results fro the same, in WMP.29562/16 in WP.34265/16.



Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.MASILAMANI, SENIOR COUNSEL for M/S.A.THIRUMURTHY, Advocate for the petitioner and of Mr.A.N.THAMBIDURAI, SPECIAL GOVERNMENT PLEADER, for 1 to 3 respondents and Mr.P.R.GOPINATH, SENIOR COUNSEL for 4 and 5 respondents the court made the following order:-

Mr.A.N.Thambidurai, learned Special Government Pleader, accepts notice for respondents 1 to 3. Mr.P.R.Gopinath, learned Senior Counsel, accepts notice for respondents 4 and 5.

2. Heard the learned counsel appearing for both sides.

3. The learned Senior Counsel appearing for the petitioner-College submitted that the students in BHMS Degree course (numbering 100, mentioned in the petition) for the year 2015-16 have been duly admitted in the petitioner-College and as per the earlier orders of this Court, their admissions have been approved by the Council.


4. In view of the said submission, there will be a direction to respondents 4 and 5 to allow the 100 students (mentioned in the petition) in the petitioner-college (Dr.Hahneman Homeopathy Medical College and Research Centre, Koneripatty Panchayat, Rasipuram Taluk, Namakkal District) to sit and write for the first year (2015-16), BHMS Degree Course Examination, commencing from 17.10.2016. It is made clear that the results of the said examination shall not be published, until further orders from this Court and this order is made, subject to the result of the main writ petition. It is made clear that the students shall be informed that they are writing the examination, pursuant to the orders of this Court and they cannot claim any equity out of this order.

5. List the case on 19.10.2016.

-sd/-

29/09/2016

/ TRUE COPY /

 4.10.16  
Sub Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

1 THE GOVT OF INDIA, REP BY SECY  
MIN. OF HEALTH & FAMILY WELFARE, DEPT OF  
AYURVEDA, YOGA & NATUROPATHY, UNANI,  
SIDDHA&HOMEIO (AYUSH), IRCS ANNEX BULDG, 1,  
RED CROSS RD, NEW DELHI-1

AZ 0057097



2 THE CENTRAL COUNCIL OF  
HOMOEOPATHY (CCH), REP. BY ITS SECRETARY,  
JAWAHARLAL NEHRU BHARTIYA CHIKITSA AVUM, NO.  
61-65, INSTITUTIONAL AREA, OPP TO D BLOCK,  
JANAKPURI, NEW DELHI

3 THE COMMISSIONER  
DIRECTORATE OF INDIAN MEDICINES &  
HOMOEOPATHY, ARUMBAKKAM, CHENNAI-600 106.

4 TAMIL NADU DR.M.G.R.MEDICAL  
UNIVERSITY, REP BY ITS REGISTRAR, 69, ANNA  
SALAI, GUINDY, CHENNAI-600 032.

5 THE CONTROLLER OF EXAMINATIONS  
THE TAMIL NADU DR.MGR MEDICAL UNIVERSITY, 69,  
ANNA SALAI, GUINDY, CHENNAI-32.

C.C. to M/S.A.THIRUMURTHY Advocate SR.NO.13289

C.C. to P.R.GOBINATH Advocate SR.NO.13287

The Government Advocate, High Court, Madras - 104.

Order

in  
WMP.29562/2016

in  
WP.34265/2016

Date :29/09/2016

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SDR 04.10.2016

AZ 0057098

HIGH COURT OF JUDICATURE  
MADRAS  
S. R. No. 13289  
Carbon Copy application  
made 29/9/68 200  
Application Fee 200  
Application Receipt 200  
Copy made 4/10/68 200  
Copy delivered 4/10/68 200  
leg  
Section Officer  
C. S. Section