

(2005) 04 MAD CK 0016

In the Madras High Court

Case No : W.A. No. 4170 of 2003 and 14 of 2004 and W.A. No. 4170 of 2003

The Controller of Examinations, Pondicherry University, The Registrar, Pondicherry University and The Chairman, Board of Studies of Medicine, Pondicherry University

APPELLANT

Vs

K. Sudhakar
S. Ramya Vs Pondicherry University and Others

RESPONDENT

Date of Decision : 29-04-2005

Acts Referred:

Citation : (2005) 3 CTC 2 : (2006) 2 LW 690

Hon'ble Judges : Markandey Katju, C.J.;F.M. Ibrahim Kalifulla, J

Bench : Division Bench

Advocate : K. Srinivasan and M. Md. Ibrahim Ali, for the Appellant; M.Md. Ibrahim Ali, K. Srinivasan and 2 and R. Singaravelan, for the Respondent

Judgement

Markandey Katju, C.J.—The writ appeal by the Pondicherry University as well as Writ Petition No.14 of 2004 are being decided in this

common judgment. The writ appeal is against the judgment of the learned single Judge dated 10.12.2003.

2. The facts of the case are covered by the Supreme Court decision in State of Tamil Nadu and Another Vs. S.V. Bratheep (Minor) and Others,

which has been followed by a Division Bench of this Court in W.A. Nos. 220 to 224 of 2004 (Controller of Examinations, Pondicherry University

v. T. Jayaprakash) decided on 23.2.2005. In the aforesaid decision of the Supreme Court it has been held that the University can prescribe higher

qualifications than that fixed by the All India Council for Technical Education. In the present case the qualifications prescribed by the University are

higher than those fixed by the Medical Council of India. In view of the Supreme Court judgment referred to above such higher qualifications are

valid.

3. In view of the above Supreme Court decision and our Division Bench judgment, the writ appeal and the writ petition are disposed off with a

direction that the respondent/writ petitioner are entitled to receive the necessary certificate from the appellant University to enable them to produce

before the Tamil Nadu Medical Council for registration and if such certificate is produced, the Medical Council shall register the names of the

appellant and the petitioner. Connected WAMP Nos.6917/2003 and 192/2004 are closed. No costs.