

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

FRIDAY, THE 08TH DAY OF MAY, 2020/18TH VAISAKHA, 1942

W.P(C) NO.9759 OF 2020

PETITIONER:

DR. JAHNAVI B PATEL, KRISHNA,
UDAYANAGAR, KALOOR P.O.
COCHIN 682 017

BY ADV. SRI.PREMJIT NAGENDRAN

RESPONDENTS:

1. TRAVANCORE COCHIN COUNCILS FOR MODERN MEDICINE
COMBINED COUNCIL BUILDING, RED CROSS ROAD
THIRUVANTHAPURAM 695 035
REPRESENTED BY ITS REGISTRAR.

2. MEDICAL COUNSELLING COMMITTEE (MCC)
DIRECTOR GENERAL OF HEALTH SERVICES
MINISTRY OF HEALTH AND FAMILY WELFARE
GOVERNMENT OF INDIA
NIRMAN BHAVAN, MAULANA AZAD ROAD
NEW DELHI 110011
REPRESENTED BY ITS PRINCIPAL CONSULTANT

3. ENTRANCE EXAMINATIONS COMMISSIONER
HOUSING BOARD BUILDING SHANTHI NAGAR,
THIRUVANTHAPURAM 695001

BY ASGI SRI.P.VIJAYAKUMAR
BY GOVERNMENT PLEADER SMT.B.VINITHA

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
08.05.2020, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

ORDER

Admit.

2. The learned Standing Counsel takes notice for R1. Assistant Solicitor General of India Sri. P.Vijayakumar takes notice for R2. The learned Government Pleader takes notice for R3. The learned Standing Counsel for R1 prays for time to obtain instructions and file a counter affidavit.

3. In the meanwhile, considering the facts and circumstances of the case, I deem it appropriate to grant an interim order as prayed for in the writ petition subject to the condition that any counselling attended by the petitioner and resultant admission will be purely provisional and subject to the result of this writ petition. The petitioner shall take steps to implead the Medical Council of India in this writ petition.

**GOPINATH P.
JUDGE**

A P P E N D I X**PETITIONER'S EXHIBITS:**

EXHIBIT P-1	A TRUE COPY OF A CERTIFICATE ISSUED BY THE EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL GRADUATES CERTIFICATE DATED 19.01.2018.
EXHIBIT P-2	A TRUE COPY OF THE CERTIFICATE ISSUED BY THE NATIONAL BOARD OF EXAMINATIONS DATED 22.02.2018.
EXHIBIT P-3	A TRUE COPY OF THE CERTIFICATE OF PROVISIONAL REGISTRATION ISSUED BY THE RESPONDENT DATED 10.12.2018.
EXHIBIT P-3(A)	TYPED COPY OF EXHIBIT P-3
EXHIBIT P-4	TRUE COPY OF THE CERTIFICATE ISSUED BY THE AMRITA INSTITUTE OF MEDICINE DATED 09.01.2020.
EXHIBIT P-5	A TRUE COPY OF THE LETTER SENT BY THE PETITIONER DATED 10.01.2020
EXHIBIT P-6	A TRUE COPY OF THE CIRCULAR ISSUED BY THE RESPONDENT DATED 20.09.2019
EXHIBIT P-7	A TRUE COPY OF A CERTIFICATE TO THAT EFFECT ISSUED BY THE AMRITA SCHOOL OF MEDICINE DATED 27.02.2020 DATED THIS THE 27.02.2020.
EXHIBIT P-8	NEET PG SCORE CARD OF THE PETITIONER
EXHIBIT P-9	COPY OF NOTIFICATION REGARDING FIRST ROUND OF COUNSELLING POSTED BY THE SECOND RESPONDENT ON THEIR WEBSITE
EXHIBIT P-10	COPY OF NOTIFICATION REGARDING FIRST ROUND OF COUNSELLING ISSUED BY THE THIRD RESPONDENT

APPENDIX

PETITIONERS EXHIBITS

EXHIBIT P1 - TRUE COPY OF THE PHOTOGRAPHS EVIDENCING LIE OF THE PROPERTY

EXHIBIT P2 - TRUE COPY OF THE AGREEMENT ENTERED INTO BETWEEN RESPONDENTS 2 AND 3

EXHIBIT P3- TRUE COPY OF THE SALE DEED EXECUTED BETWEEN THE PETITIONERS AS WELL AS 2ND RESPONDENT

EXHIBIT P4 - TRUE COPY OF THE TAX RECEIPT ISSUED FROM THE VILLAGE OFFICE, VAZHAKKALA ON 7.5.19

EXHIBIT P5 - TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED FROM THE VILLAGE OFFICE,VAZHAKKALA

EXHIBIT P6 - TRUE PHOTOSTAT OF THE LOCATION SKETCH WITH CERTIFICATE NO.1806/2019 OF VAZHAKKALA VILLAGE DENOTING THE PROPERTY OWNED BY THE PETITIONERS

EXHIBIT P7 - PHOTOGRAPH EVIDENCING THE DEMOLITION OF THE COMPOUND WALL ON THE NORTHERN SIDE OF THE PROPERTY.

EXHIBIT P8 - TRUE PHOTOCOPY OF THE LETTER GIVEN BY THE SELLER TO THE MUNICIPALITY

EXHIBIT P9 - TRUE PHOTOSTAT COPY OF THE COMPLAINT NO.1 OF 2019 FILED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT WITHOUT EXTS.

EXHIBIT P10 - TRUE PHOTOSTAT COPY OF THE JUDGMENT PASSED BY THIS HON'BLE COURT ON 21.11.19 IN W.P.C NO.31431/2019

EXHIBIT P11 - TRUE PHOTOSTAT COPY OF THE REMAINDER DTD 14.1.2020 SUBMITTED BEFORE THE 1ST RESPONDENTS

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EXHIBIT P12 - TRUE PHOTOSTAT COPY OF THE ORDER DTD.
24.2.2020 PASSED BY THE 1ST RESPONDENT IN COMPLAINT
NO.1/2019.