

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 30<sup>TH</sup> DAY OF APRIL, 2020/10TH  
VAISAKHA, 1942

W.P(C) TMP NO.145 OF 2020

PETITIONER:

1. SHEHAN SUNIL JINNA, AGED 22,  
S/O. SUNIL JINNA, ARCHANA,  
KRISHNAPURAM P.O., KAYAMKULAM - 690533.
2. MIDHUN BABU. S, 25 YEARS, S/O. BABU .S,  
KAVUVILA VEEDU, VELLAYANI,  
OOKKODE P.O, THIRUVANANTHAPURAM, 695020
3. GOVIND JAYAN, 22 YEARS,  
S/O. V. JAYADHARA KUMAR,  
PARVATHY SADANAM, EDACODE, NEMOM 695020.
4. AJIN S ASHARAF, AGED 22,  
S/O. ASHARAFUDEEN. M, KADAYIL VEEDU,  
PUTHAYAM, KARUKONE P.O, ANCHAL, 691306.
5. AKSHAY PRADEEP, 21 YEARS, S/O. PRADEEP. T,  
ARUN NIVAS, KAROOR, AMBALAPUZHA P.O, ALAPPUZHA.
6. AJAYDAS P.G, AGED 22 YEARS S/O. GOPUDAS P.A,  
PUTHUKATTUPARAMBIL, PANDIKAVU, CHEROOR P.O,  
THRISSUR.
7. JINCYMOL, AGED 22 YEARS, D/O. SHAJI,  
KONNAKATTUVILAI, NEDIYASALAI, ARUMANAI P.O,  
KANYAKUMARI DISTRICT, TAMIL NADU-629151.
8. ADHEENA JOY, AGED 22 YEARS, D/O. T.M JOY,  
THAIPPADATH HOUSE, KOLARIKKAL ROAD,  
SOUTH CHITTOOR P.O, ERNAKULAM, KOCHI-682027.
9. ATHIRA PRASANNAKUMAR, AGED 22,  
D/O.P.PRASANNAKUMAR, UTHRAM, CKRA 155,  
KARIYAM, SREEKARYAM P.O.,  
THIRUVANANTHAPURAM -695017.

10. AISWARYA S.S, AGED 22, D/O. SAJI. G,  
CHOTHI, T.C. 64/2075, NEAR BNV HSS,  
THIRUVALLAM P.O., THIRUVANANTHAPURAM - 695027.
11. GOPIKA. K, AGED 22, D/O. GOPI K.N,  
KALATHUNGAL HOUSE, VADAKKUMPURAM P.O.,  
N. PARAVUR, ERNAKULAM - 683521.
12. SANGEETHA N. SATHEESH, AGED 23 YEARS,  
D/O. SATHEESH KUMAR, SAJUSH NIVAS,  
KOLLAMKONAM, VILAPPILSALA P.O.,  
THIRUVANANTHAPURAM- 695573.
13. ANCY ELIZABETH PHILIP, AGED 22,  
D/O. PHILIP JOSEPH, KADAVOOR HOUSE,  
THAZHATHANGADY P.O., KOTTAYAM, KERALA- 686005.
14. HASNA, AGED 23, D/O. UMMER A.K,  
APPAMKANDATHIL HOUSE, CHERUKODE P.O,  
VALLAPUZZHA, PALAKKAD -679336.
15. KEERTHI R. NADH, AGED 23 YEARS,  
D/O. ANITHA KUMARI, SARASA SADANAM,  
PUNUKKANNOOR, PERUMPUZZHA P.O.,  
KERALAPURAM, KOLLAM 691504.
16. AISHWARYA SANTHOSH, AGED 22 YEARS,  
D/O.RANJITHA SANTHOSH, SFS FAIRMOUNT IOC,  
M.P. APPAN ROAD, VAZHUTHACAUD, TRIVANDRUM - 695014.
17. VEENA. T., AGED 22 YEARS, D/O. JAYASREE,  
VISHNU BHAVAN, KOILVILLA, GRAMOM,  
PARASSALA P.O., TRIVANDRUM-695502.
18. VINDUJA NANDAKUMAR, AGED 22 YEARS,  
D/O.VALSALA NANDAKUMAR, THEVARNILATHIL HOUSE,  
IRIMPANAM P.O, ERNAKULAM- 682309.
19. ASHITHA MOHAN M.B., AGED 22 YEARS,  
D/O. S. MOHANLAL, THAZHAVILA VEEDU,  
VAYYETTU, VENJARAMOOD,  
THIRUVANANTHAPURAM -695607.

20. ARUNDATHY T.A., AGED 23 YEARS,  
D/O. ANILKUMAR T.R., DEVIKA RANI K.T,  
THAIPPARAMBIL HOUSE, KALAPPURA WARD,  
ALAPPUZHA 688007.
21. AMINA SULAIMAN, AGED 23 YEARS,  
D/O. SULAIMAN. A, OUDH MANSON,  
PLAVINMOODU, ELAMPA P.O., ATTINGAL 659103.
22. REVATHY. S, AGED 22 YEARS. D/O. MANI. K,  
SINDHU MANDIRAM, KUZHIYAM, CHANDANATHOPE P.O.  
KOLLAM, 691014.
23. SWATHI S.P, AGED 22 YEARS,  
D/O. G. DEVARAJAN, THENGUVILAYIL,  
LS P.O NOORNAD, ALAPPUZHA- 690571.
24. SHABNAM S.S, AGED 23 YEARS,  
D/O. SHEREEF. M, SHABNAM COTTAGE,  
PERUMALA, VELLUMANNADI P.O,  
VENJARAMMOODU, THIRUVANANTHAPURAM-695607.
25. ASLAM ABDUL LATHEEF, AGED 23 YEARS,  
S/O. ABDUL LATHEEF, KUNNEL PUTHENVEEDU,  
PV NORTH, THAZHAVA P.O, KARUNAGAPPALLY,  
KOLLAM- 690523.
26. SHEENSHA SHAJAHAN, AGED 23 YEARS,  
D/O. MOHAMED SHAJAHAN, KOTTAYIL HOUSE,  
PV NORTH, THAZHAVA P.O, KARUNAGAPPALLY,  
KOLLAM- 690523.

BY ADV. C.UNNIKRISHNAN

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY THE SECRETARY TO  
GOVERNMENT, DEPARTMENT OF HEALTH AND FAMILY WELFARE,  
NIRMAN BHAVAN, NEW DELHI,110011.
2. THE BOARD OF GOVERNORS, MEDICAL COUNCIL OF INDIA,  
POCKET-14, SECTOR 8, DWARKA,  
NEW DELHI 110075 REPRESENTED  
BY ITS SECRETARY GENERAL.

3. STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM, 695001.
4. THE DIRECTOR OF MEDICAL EDUCATION, THIRUVANANTHAPURAM 695001.
5. THE KERALA UNIVERSITY OF HEALTH SCIENCES, REPRESENTED BY THE REGISTRAR, MEDICAL COLLEGE P.O, THRISSUR, 680596.
6. S.R. MEDICAL COLLEGE AND RESEARCH INSTITUTE, VENNICODE P.O. CHIRAYINKEEZH TALUK, CHERUNNIYOOR PANCHAYAT, AKKATHUMURI, THIRUVANANTHAPURAM-695318 REPRESENTED BY ITS PRINCIPAL.
7. THE CHAIRMAN, S.R. EDUCATIONAL AND CHARITABLE TRUST, VENNICODE P.O, AKATHUMURI, VARKALA, THIRUVANANTHAPURAM-695318.

R3-4 BY SRI.T.S.SYAMPRASANTH, GOVERNMENT  
PLEDER

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 30.04.2020 ALONG WITH W.P.(C) NO.196/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 30TH DAY OF APRIL, 2020 /10TH VAISAKHA,  
1942

W.P. (C) .No.196 OF 2020

PETITIONER:

1. DRISHYA DILIP B., AGED 21 YEARS,  
D/O. DILIP C.D., TC NO.31/944, PRRAP 75,  
PUTHEN ROAD, PALKULANGARA P.O., PETTAH,  
THIRUVANANTHAPURAM - 695 024,
2. A.R.ARYA., AGED 21 YEARS,  
D/O. P.J.AJAYA KUMAR,  
RAGHAVA BHAVAN, PUTHENCHANDA P.O.,  
VARKALA, THIRUVANANTHAPURAM - 695 141.
3. HRIDYA DOMINIC, AGED 21 YEARS,  
D/O. DOMINIC P., SMRITHY,  
MOONNAMOODU, VATTIYOORKAVU P.O.,  
THIRUVANANTHAPURAM 695 013.
4. S.H. ANN ATHEENA, AGED 21 YEARS,  
D/O. HUBERT JOE, BETHZAK, TC NO.20/1644 (1),  
SASTHRI NAGAR WEST - 15, KARAMANA,  
THIRUVANANTHAPURAM - 695 002.
5. AISWARYA V.K., AGED 22 YEARS,  
D/O. B.S.VENU, ARAVINDAM,  
VETTIYARA P.O., NAVAIKULAM,  
THIRUVANANTHAPURAM - 695 603.
6. ANJANA C.P., AGED 22 YEARS,  
D/O. CHANDRASEKHARAN NAIR,  
CHEMPAKA MANGALAM, MARAUTHOOR,  
NEYATTINKARA P.O., THIRUVANANTHAPURAM - 695 121.
7. ARCHA S., AGED 22 YEARS,  
D/O. RAJAGOPLA PILLAI N.,  
KRISHNAKRUPA, AMBIPOIKA,  
KUNDARA P.O., KOLLAM 691 501.

BY ADVS. SRI HOOD T.B. AND SMT. M.ISHA

**RESPONDENTS :**

1. UNION OF INDIA,  
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF INDIA,  
MINISTRY OF HEALTH AND FAMILY WELFARE,  
DEPARTMENT OF HEALTH AND FAMILY WELFARE,  
MEDICAL EDUCATION - 1, NIRMAN BHAWAN,  
NEW DELHI - 110 011.
2. MEDICAL COUNCIL OF INDIA,  
REPRESENTED BY ITS SECRETARY,  
POCKET NO.14, SECTOR 8, PHASE - 1,  
DWARKA, NEW DELHI - 110 077.
3. STATE OF KERALA,  
REPRESENTED BY THE SECRETARY TO GOVERNMENT,  
HEALTH AND FAMILY WELFARE DEPARTMENT, SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.
4. DIRECTOR OF MEDICAL EDUCATION,  
THIRUVANANTHAPURAM 695 001.
5. KERALA UNIVERSITY OF HEALTH SCIENCES,  
REPRESENTED BY ITS REGISTRAR,  
MEDICAL COLLEGE P.O., THRISSUR - 680 596.
6. THE PRINCIPAL,  
S.R. MEDICAL COLLEGE AND RESEARCH CENTRE,  
AKATHUMURI, VENNICODE P.O., VARKALA,  
THIRUVANANTHAPURAM - 695 318.
7. THE CHAIRMAN,  
S.R. EDUCATIONAL AND CHARITABLE TRUST,  
AKATHUMURI, VENNICODE P.O., VARKALA,  
THIRUVANANTHAPURAM - 695 318.

BY R3 & R4 SRI.K.P.HARISH, GOVERNMENT PLEADER

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON  
30/04/2020, ALONG WITH W.P.(C) NO.145/2020, THE COURT ON  
THE SAME DAY PASSED THE FOLLOWING:-

**ORDER**

Post these matters on 18.5.2020 along with connected W.P.(C) No.26 of 2020, W.P.(C) No.196 of 2020, W.P.(C) No.503 of 2020 and W.P.(C) No.8148 of 2020.

In the meantime, the learned Standing Counsel for the first respondent - Union of India, the learned Standing Counsel for the second respondent - MCI and the learned Standing Counsel for the fifth respondent - Kerala University of Health Sciences shall file a statement as regards the stage of reallocation process and also as to whether any orders have been passed by any of the Authorities concerned. If any orders have been passed, the same shall be placed for consideration of this Court.

**BECHU KURIAN THOMAS  
JUDGE**

## **APPENDIX OF WPC TMP 145/2020**

### **PETITIONERS EXTS:**

**EXT.P1.** TRUE COPY OF THE DECISION DATED 27.12.2019 OF THE  
1<sup>ST</sup> RESPONDENT

**EXT.P2.** TRUE COPY OF THE G.O. (RT) NO.32/2020/H &FWD  
DATED 05.01.2020

**EXT.P3.** TRUE COPY OF THE FORWARDING LETTER DATED  
19.01.2020 CONTAINING THE PROPOSAL OF DME

**EXT.P4.** TRUE COPY OF THE NEWS PAPER REPORT DATED  
14.04.2020



APPENDIX OF 196/2020

PETITIONERS' EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE LETTER OF PERMISSION DATED 20.08.2016 ISSUED BY THE GOVERNMENT OF INDIA.

EXHIBIT P2: TRUE COPY OF THE RESULT OF FIRST PROFESSIONAL MBBS DEGREE REGULAR EXAMINATIONS (2016 ADMISSION) HELD IN JULY 2017.

EXHIBIT P3: TRUE COPY OF THE RESULT OF SECOND PROFESSIONAL MBBS DEGREE REGULAR EXAMINATIONS (2016 ADMISSION) HELD IN FEBRUARY, 2019.

EXHIBIT P4: TRUE COPY OF THE MINUTES OF THE MEETING CONVENED ON 29.05.2019.

EXHIBIT P5: TRUE COPY OF THE LETTER DATED 30.10.2019 SENT BY THE MEDICAL COUNCIL OF INDIA TO THE SECRETARY TO GOVERNMENT OF INDIA, MINISTRY OF HEALTH AND FAMILY WELFARE.

EXHIBIT P6: TRUE COPY OF THE JUDGMENT DATED 31.10.2019 IN WRIT PETITION (CIVIL) NO.15610/2019 AND CONNECTED CASES.

EXHIBIT P7: TRUE COPY OF THE REPRESENTATION SUBMITTED ON BEHALF OF ADDITIONAL RESPONDENTS 8 TO 11 IN EXT.P6 JUDGMENT

EXHIBIT P8: TRUE COPY OF THE LETTER DATED 27.12.2019 ISSUED BY THE GOVERNMENT OF INDIA.

EXHIBIT P9: TRUE COPY OF THE MINUTES OF THE MEETING HELD ON 13.11.2019 PURSUANT TO EXT.P6 JUDGMENT.

EXHIBIT P10: TRUE COPY OF THE EXAMINATION NOTIFICATION DATED 26.11.2019 ISSUED BY THE 5TH RESPONDENT UNIVERSITY.

EXHIBIT P11: TRUE COPY OF THE EXAMINATION REGISTRATION REPORT DOWNLOADED FROM THE WEBSITE OF THE 5TH RESPONDENT UNIVERSITY.

**EXHIBIT P12: TRUE COPY OF THE TIME TABLE FOR THEORY  
EXAMINATION OF THIRD PROFESSIONAL MBBS DEGREE  
EXAMINATIONS, JANUARY, 2020.**