

Dr. Jyothish .E vs State of Kerala

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Court : Kerala

Decided On : Apr-22-2022

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : WP(C)/6451/2022

Appellant : Dr. Jyothish .E

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH FRIDAY,
THE 22ND DAY OF APRIL 2022 / 2ND VAISAKHA, 1944 WP(C) NO.
2043 OF 2022 PETITIONERS: 1 DR.ANIKUTTAN W.H AGED 33
YEARS XS/O. WILSON S, KOVILUVILA VEEDU, PULLAMALA LANE,
AMARAVILA P.O, THIRUVANANTHAPURAM 695 122 2 DR. KIRAN
KUMAR AGED 34 YEARS S/O. KUMARAN K, AISWARYA,
CHERUTHARA, PUDHIYAKAM P.O, PALAKKAD 678 545 BY ADVS.
GEORGE VARGHESE(PERUMPALLIKUTTIYIL) A.R.DILEEP P.J.JOE
PAUL MANU SRINATH RAJAN G. GEORGE NIMESH THOMAS
RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY ITS SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRAM 695 001 2 THE DIRECTOR OF MEDICAL EDUCATION DIRECTORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE P.O, THIRUVANANTHAPURAM PIN 695 011, KERALA 3 POSTGRADUATE COURSE SELECTION COMMITTEE REPRESENTED THROUGH ITS CHAIRMAN-SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM 695 001 4 SCHEDULED CASTES SCHEDULED TRIBES, BACKWARD CLASSES WELFARE AND GA DEPARTMENT, REPRESENTED THROUGH ITS PRINCIPAL SECRETARY, GOVERNMENT SECRETARIAT, TRIVANDRUM 695 001 :2:

5 GOVERNMENT MEDICAL COLLEGE PALAKKAD, (ALSO KNOWN AS INSTITUTE OF INTEGRATED MEDICAL SCIENCE, PALAKKAD) REPRESENTED THROUGH ITS DIRECTOR, GOVERNMENT MEDICAL COLLEGE, PALAKKAD, EAST YAKKARA, KUNNATHURMEDU P.O, PALAKKAD 678 013 6 COMMISSIONER OF ENTRANCE EXAMINATIONS, HOUSING BOARD BUILDINGS, SANTHI NAGAR, TRIVANDRUM 695 001 7 NATIONAL MEDICAL COMMISSION REPRESENTED BY ITS SECRETARY, POCKET-14, SECTOR-8, DWARAKA PHASE 1, NEW DELHI 110 077 8 POST GRADUATE MEDICAL EDUCATION BOARD OF NATIONAL MEDICAL COMMISSION REPRESENTED BY ITS PRESIDENT, POCKET-14, SECTOR 8, DWARAKA PHASE 1, NEW DELHI 110 077 9 UNION OF INDIA REPRESENTED BY ITS DIRECTOR GENERAL OF HEALTH SERVICES, THE DIRECTORATE GENERAL OF HEALTH SERVICES (DGHS) ROOM NO. 446-A, NIRMAN BHAVAN, RAJPATH AREA, CENTRAL SECRETARIAT, NEW DELHI DELHI 110 001 10 DR.FIROS AHAMMED.A AGED 33 YEARS S/O. M. ABDUL SALIM, JUNIOR RESIDENT/ LECTURER, DEPARTMENT OF GENERAL SURGERY, GOVERNMENT MEDICAL COLLEGE, KALAMASSERY, HMT COLONY,

KOCHI 683 503, RESIDING AT SAMEER MANZIL, P.V. NORTH, THAZHAVA P.O, KARUNAGAPPALLY, KOLLAM DISTRICT, PIN 690 523. (ADDL.R10 IS IMPEADED AS PER ORDER DT 22.04.2022 IN IA.3/2022 IN WPC.2403/2022) BY ADVS. SRI.JAISHANKAR V.NAIR, CGC N.N.SUGUNAPALAN (SR.) SRI.T.B.HOOD, GOVERNMENT PLEADER S.SUJIN ABDUL SALIM M. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR

ADMISSION ON 22.04.2022, ALONG WITH WP(C).2209/2022, DELIVERED THE FOLLOWING: :3:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH FRIDAY, THE 22ND DAY OF APRIL 2022 / 2ND VAISAKHA, 1944 WP(C) NO. 2209 OF 2022 PETITIONER: DR.NANDAKUMAR.R., AGED 33 YEARS S/O.C.RAJAN, "11/265", NANDANAM, VELLOLI 1 ST LANE, PUTHUR, PIN-678 001, KERALA. BY ADVS. GEORGE VARGHESE(PERUMPALLIKUTTIYIL) A.R.DILEEP MANU SRINATH RESPONDENTS:

1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM-695 001. 2 THE DIRECTOR OF MEDICAL EDUCATION, DIRECTORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE P.O., THIRUVANANTHAPURAM, PIN-695 011, KERALA., 3 POSTGRADUATE COURSE SELECTION COMMITTEE, REPRESENTED THROUGH ITS CHAIRMAN - SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM-695 001. 4 SCHEDULED CASTES, SCHEDULED TRIBES, BACKWARD CLASSES WELFARE AND GA DEPARTMENT, REPRESENTED THROUGH ITS PRINCIPAL SECRETARY, GOVERNMENT SECRETARIAT, TRIVANDRUM-695 001. :4:

5 GOVERNMENT MEDICAL COLLEGE, PALAKKAD, (ALSO KNOWN AS INSTITUTE OF INTEGRATED MEDICAL SCIENCE, PALAKKAD), REPRESENTED THROUGH ITS DIRECTOR, GOVERNMENT MEDICAL COLLEGE, PALAKKAD, EAST YAKAKRA, KUNNATHURMEDU P.O., PALAKKAD-678 013. 6 COMMISSIONER OF ENTRANCE EXAMINATIONS, HOUSING BOARD BUILDINGS, SANTHI NAGAR, TRIVANDRUM-695 001. 7 NATIONAL MEDICAL COMMISSION, REPRESENTED BY ITS SECRETARY, POCKET 14, SECTOR 8, DWARAKA PHASE 1, NEW DELHI-110 077. 8 POST GRADUATE MEDICAL EDUCATION BOARD OF NATIONAL MEDICAL COMMISSION, REPRESENTED BY ITS PRESIDENT, POCKET 14, SECTOR 8, DWARKA PHASE1, NEW DELHI-110 077. 9 UNION OF INDIA, REPRESENTED BY ITS DIRECTOR GENERAL OF HEALTH SERVICES, THE DIRECTORATE GENERAL OF HEALTH SERVICES (DGHS), ROOM NO.446-A NIRMAL BHAWAN, RAJPATH AREA, CENTRAL SECRETARIAT, NEW DELHI, DELHI-110 001. 10 DR.SHABEENA BASHEER, AGED 36 YEARS W/O.MUHAMMED THAHIR, R/O.NASEENA MANZIL, THANKAYA, TRIKARIPUR, KASARGOD-671 310. 11 DR. GREESHMA SUMANASAN AGED 34 YEARS D/O.SUMANASAN, R/O.VILAYIL VEEDU, PANAYARA P.O, CHEMMANUTHY, PANAYARA, THIRUVANANTHAPURAM-695 145. 12 DR.SREEJA G, AGED 40 YEARS W/O.DEEPAK K.A, KANJIRAMKUZHIYIL, CHOTTANIKKARA P.O, KANAYANNOOR, ERNAKULAM-682 312. 13 DR.MANOJ ANTHONY, AGED 36 YEARS S/O.ANTHONY P.J, R/O. DEEPAM (PARAYANKAL), AISWARYA LANE, THRIKAKKARA P.O, KOCHI-682 021.

(ADDL R10 TO R13 ARE IMPEADED AS PER ORDER

DATED 11-02-2022 IN IA 1/2022 IN WP(C)2209/2022. :5:

14 DR.SWAVAB.P. AGED 36 YEARS S/O ABOOBACKER P, R/O PANTHAKKAL HOUSE, TANUR P.O., MALAPPURAM, KERALA-

676302 15 DR.SHABNA.M.A. AGED 35 YEARS D/O MOHAMMED
EBRAHIM V S, R/O BEEPAS, OPPOSITE COURT, PARAPPANANGADI
P.O., MALAPPURAM DISTRICT-676 303 16 DR.ABOOBACKER AGED
34 YEARS S/O MOHMAED KUTTY, R/O MADANPATT HOUSE,
KALAD, NIRAMARUTHOOR P.O., MALAPPURAM-676 109 17
DR.AFSAL ASSIS AGED 35 YEARS S/O T K ASSIS, R/O
ANCHANATTU, ATTIKKAL, PONKUNNAM P.O., KOTTAYAM-686 506
18 DR.BIPIN.B.PALLATH AGED 38 YEARS S/O BHARADWAJ
PALLATH, R/O LAL BAAG, CHEMMAD, TIRURANGADI,
MALAPPURAM-676 306 19 DR.ARJUN.A. AGED 32 YEARS S/O
ARAVINDAKSHAN K, R/O VIGHNESWARAM, CHERUMKODE,
TATTAMANGALAM P.O., PALAKKAD-678 102

(ADDL. R14 TO R19 ARE IMPEADED AS PER ORDER

DATED 21-02-2022 IN IA 2/2022 IN WP(C) 20 DR.FIROS AHAMMED.A
AGED 33 YEARS S/O. M. ABDUL SALIM, JUNIOR RESIDENT/
LECTURER, DEPARTMENT OF GENERAL SURGERY,
GOVERNMENT MEDICAL COLLEGE, KALAMASSERY, HMT COLONY,
KOCHI 683 503, RESIDING AT SAMEER MANZIL, P.V. NORTH,
THAZHAVA P.O, KARUNAGAPPALLY, KOLLAM DISTRICT, PIN 690
523.

(ADDL.R20 IS IMPEADED AS PER ORDER DT 22.04.2022 IN IA.3/2022 IN
WPC.2209/2022) :6: BY ADVS. TITUS MANI SRI.JAISHANKAR V.NAIR, CGC
M.K.CHANDRA MOHANDAS SRI.T.B.HOOD, GOVERNMENT PLEADER
SHAKTHI PRAKASH PRATHEEK VISWANATHAN HARIKRISHNAN M.S.
K.DHRUV KUMAR S.SUJIN ABDUL SALIM M. THIS WRIT PETITION (CIVIL)
HAVING COME UP FOR ADMISSION ON 22.04.2022, ALONG WITH
WP(C).2043/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING: :7:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH FRIDAY, THE 22ND DAY OF APRIL 2022 / 2ND VAISAKHA, 1944 WP(C) NO. 2244 OF 2022 PETITIONERS:

1 DR.AMALKUMAR V AGED 38 YEARS LECTURER, DEPARTMENT OF GENERAL SURGERY, GOVERNMENT MEDICAL COLLEGE, EAST YAKKARA, KUNNATHURMEDU P.O.PALAKKAD-678 013. 2 DR. SARITHA K.M LECTURER, DEPARTMENT OF GENERAL MEDICINE, GOVERNMENT MEDICAL COLLEGE, EAST YAKKARA, KUNNATHURMEDU P.O.PALAKKAD-678 013. 3 DR.NAYANA SUKUMAR, LECTURER, DEPARTMENT OF GENERAL OF OBSTETRICS AND GYNAECOLOGY, GOVERNMENT MEDICAL COLLEGE, EAST YAKKARA, KUNNATHURMEDU P.O. PALAKKAD-678 013.

BY ADVS. P.NANDAKUMAR AMRUTHA SANJEEV RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, DEPARTMENT OF HEALTH AND FAMILY WELFARE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE DIRECTOR OF MEDICAL EDUCATION, MEDICAL COLLEGE P.O.,THIRUVANANTHAPURAM-695 011 3 THE DIRECTOR OF HEALTH SERVICES PALAYAM-AIRPORT ROAD, NEAR GENERAL HOSPITAL JUNCTION, THIRUVANANTHAPURAM-695 035. 4 COMMISSIONER FOR ENTRANCE EXAMINATIONS, HOUSING BOARD BUILDINGS, SANTHI NAGAR, THIRUVANNATHAPURAM-695 001 :8:

5 THE DIRECTOR, INSTITUTE OF INTERGRATED MEDICAL SCIENCES (GOVERNMENT MEDICAL COLLEGE) EAST YAKKARA, KUNNATHURMEDU P.O.PALAKKAD-678 013. 6 DR,AFSAL ASSIS LECTURER AS GENERAL SURGERY, GOVERNMENT MEDICAL COLLEGE, GANDHI NAGAR, KOTTAYAM - 686008 7 DR.GREESHMA

SUMANASAN LECTURER IN GENERAL MEDICINE, GOVERNMENT MEDICAL COLLEGE, KALAMASSERY, ERNAKULAM - 683503. 8
DR.MANOJ ANTONY LECTURER IN GENERAL SURGERY, GOVERNMENT MEDICAL COLLEGE, KALAMASSRY, ERNAKULAM - 683503.

(ADDL. R6 TO R8 ARE IMPEADED AS PER ORDER

DATED 04.03.2022 IN IA 3/2022 IN WPC NO. 9 DR.FIROS AHAMMED.A AGED 33 YEARS S/O. M. ABDUL SALIM, JUNIOR RESIDENT/ LECTURER, DEPARTMENT OF GENERAL SURGERY, GOVERNMENT MEDICAL COLLEGE, KALAMASSERY, HMT COLONY, KOCHI 683 503, RESIDING AT SAMEER MANZIL, P.V. NORTH, THAZHAVA P.O, KARUNAGAPPALLY, KOLLAM DISTRICT, PIN 690 523. (ADDL.R9 IS IMPEADED AS PER ORDER DT 22.04.2022 IN IA.4/2022 IN WPC.2403/2022) BY ADVS. M.K.CHANDRA MOHANDAS S.SUJIN SRI.T.B.HOOD, GOVERNMENT PLEADER ABDUL SALIM M. N.N.SUGUNAPALAN (SR.) K.SATHIYANANDAN PILLAY SHAKTHI PRAKASH PRATHEEK VISWANATHAN K.DHRUV KUMAR HARIKRISHNAN M.S.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22.04.2022, ALONG WITH WP(C).2043/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :9:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH FRIDAY, THE 22ND DAY OF APRIL 2022 / 2ND VAISAKHA, 1944 WP(C) NO. 2480 OF 2022 PETITIONER: DR. ARUN V A AGED 33 YEARS S/O. ARAVINDAKSHAN V N, R/O VENGASSEY HOUSE NO. PALIYEKKARA JUNCTION NEAR TOLL PLAZA, CHITISSERY P.O, THRISSUR, PIN 680 301 PRESENTLY WORKING AS LECTURER, DEPARTMENT OF ORTHOPAEDICS, GOVERNMENT MEDICAL COLLEGE, PALAKKAD. BY ADVS. JOSE ABRAHAM N.RAGESH E.ADITHYAN

MURALEEDHARAN R. MEERA RAMESH RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY ITS SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM 695 001 2 THE DIRECTOR OF MEDICAL EDUCATION DIRECTORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE P.O, THIRUVANANTHAPURAM PIN 695 011, KERALA 3 POSTGRADUATE COURSE SELECTION COMMITTEE REPRESENTED THROUGH ITS CHAIRMAN-SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM 695 001 : 10 :

4 SCHEDULED CASTES SCHEDULED TRIBES, BACKWARD CLASSES, WELFARE AND GA DEPARTMENT, REPRESENTED THROUGH ITS PRINCIPAL SECRETARY, GOVERNMENT SECRETARIAT, TRIVANDRUM 695 001 5 GOVERNMENT MEDICAL COLLEGE PALAKKAD, (ALSO KNOWN AS INSTITUTE OF INTEGRATED MEDICAL SCIENCE, PALAKKAD), REPRESENTED THROUGH ITS DIRECTOR, GOVERNMENT MEDICAL COLLEGE, PALAKKAD, EAST YAKKARA, KUNNATHURMEDU P.O, PALAKKAD 678 013 6 COMMISSIONER OF ENTRANCE EXAMINATIONS FOR ENTRANCE EXAMINATIONS, HOUSING BOARD BUILDINGS, SANTHI NAGAR, TRIVANDRUM 695 001 7 NATIONAL MEDICAL COMMISSION REPRESENTED BY ITS SECRETARY, POCKET 14, SECTOR, 8, DWARKA PHASE 1, NEW DELHI 110 077 8 POST GRADUATE MEDICAL EDUCATION BOARD OF NATIONAL MEDICAL COMMISSION, REPRESENTED BY ITS PRESIDENT, POCKET 14, SECTOR 8, DWARAKA PHASE 1, NEW DELHI 110 077 9 UNION OF INDIA REPRESENTED BY ITS DIRECTOR GENERAL OF HEALTH SERVICES, THE DIRECTORATE GENERAL OF HEALTH SERVICES (DGHS) ROOM NO. 446-A NIRMAN BHAVAN, RAIPATH AREA, CENTRAL SECRETARIAT, NEW DELHI DELHI 110 001

BY ADVS. MANU S., ASG OF INDIA N.N.SUGUNAPALAN (SR.) SRI.T.B.HOOD, GOVERNMENT PLEADER SRI.JAISHANKAR V.NAIR, CGC JAISHANKAR V.NAIR TITUS MANI S.SUJIN ABDUL SALIM M. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22.04.2022, ALONG WITH WP(C).2043/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: : 11 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH FRIDAY, THE 22ND DAY OF APRIL 2022 / 2ND VAISAKHA, 1944 WP(C) NO. 6451 OF 2022 PETITIONERS: 1 DR. JYOTHISH .E AGED 33 YEARS S/O SUBRAMANIAM, MOOTHEDATHU HOUSE, MORAYUR, MALAPPURAM,KERALA-673642. 2 DR.NANDAKUMAR.R, S/O.C.RAJAN, "11/265" NANDANAM, VELLOLI 1 ST LANE, PUTHUR, PIN-678001, KERALA. BY ADVS. GEORGE VARGHESE(PERUMPALLIKUTTIYIL) A.R.DILEEP P.J.JOE PAUL MANU SRINATH RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY ITS SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM-695001. 2 THE DIRECTOR OF MEDICAL EDUCATION, DIRETORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE.P.O, THIRUVANANTHAPURAM, PIN-695011, KERALA. 3 POSTGRADUATE COURE SELECTOIN COMMITTEE, REPRESENTED THROUGH ITS CHAIRMAN- SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDUM-695001. 4 SCHEDULED CASTES, SCHEDULED TRIBES, BACKWARD CLASSES WELFARE AND GA DEPARTMENT,REPRESENTED THROUGH ITS PRINCIPAL SECRETARY,GOVERNMENT SECRETARIAT, TRIVANDRUM-695001. : 12 :

5 GOVERNMENT MEDICAL COLLEGE, PALAKKAD (ALSO KNOWN AS INSTITUTE OF INTEGRATED MEDICAL SCIENCE, PALAKKAD), REPRESENTED THROUGH ITS DIRECTOR, GOVERNMENT MEDICAL COLLEGE, PALAKKAD, EAST YAKKARA, KUNNATHURMEDU.P.O, EAST YAKKARA, KUNNATHURMEDU.P.O, PALAKKAD-678013. 6 COMMISSIONER FOR ENTRANCE EXAMINATION HOUSING BOARD BUILDINGS, SANTHI NAGAR, TRIVANDRUM-695001. 7 NATIONAL MEDICAL COMMISSION REPRESENTED BY ITS SECRETARY, POCKET-14, SECTOR-8, DWARKA PHASE-1, NEW DELHI-110077. 8 NATIONAL BOARD OF EXAMINATIONS IN MEDICAL SCIENCES (NBEMS) MEDICAL ENCLAVE, ANSARI NAGAR, RING ROAD, NEW DELHI-110029, REPRESENTED BY ITS EXECUTIVE DIRECTOR. 9 UNION OF INDIA, REPRESENTED BY ITS DIRECTOR GENERAL OF HEALTH SERVICES, THE DIRECTORATE GENERAL OF HEALTH SERVICES (DGHS), ROOM NO.446-A NIRMAL BHAWAN, RAJPATH AREA, CENTRAL SECRETARIAT, NEW DELHI, DELHI-110001. 10 DR.GREESHMA SUMANASAN, AGED 34 YEARS D/O.SUMANASAN, RESIDENT OF VILAYIL VEEDU, PANAYARA P.O., CHEMMANUTHY, PARAYARA P.O., THIRUVANANTHAPURAM 694145. 11 DR.BIPIN P. PALLATH, AGED 38 YEARS S/O.BHARADWAJ PALLATH, RESIDENT OF LAL BAAG, CHEMMAD, THIRURANGADI, MALAPPURAM 676 306.

BY ADVS. SHRI.T.SANJAY, SC, SRI.T.B.HOOD, GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22.04.2022, ALONG WITH WP(C).2043/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: : 13 :

N. NAGARESH, J.

..... W.P.(C) Nos.2043, 2209, 2244,
2480 and 6451 of 2022 Dated this
the 22nd day of April, 2022

JUDGMENT

The petitioners in these writ petitions are working as Medical Officers in the Institute of Integrated Medical Sciences, Palakkad. The petitioners have approached this Court aggrieved by the provisions in the Kerala Medical Officers Admission to Post Graduate Courses under Service Quota Act, 2008, the Rules made thereunder and the Prospectus for Admission to Medical Post Graduate Degree Courses 2021-2022 whereby the petitioners are barred from consideration of Medical Officers working in the said Medical College, Palakkad towards the selection under in-service quota within the State Quota seats in Government Medical : 14 : Colleges and Institutions in Kerala.

2. The petitioners state that the Institute of Integrated

Medical Sciences (IIMS), Palakkad is administered by the Scheduled Caste and Scheduled Tribe Department of Government of Kerala. The petitioners are working as Medical Officers in the College. The petitioners in W.P.(C) Nos.2043, 2209, 2244 and 2480 of 2022 appeared in the NEET PG-2021 Examination held in September, 2021 and were qualified. The petitioners in W.P.(C) No.6451/2022 aspire for admission to DNB Post MBBS Degree Course. The respondents are not considering the petitioners for admission to Medical PG Courses under the in-service quota for the reason that the Kerala Medical Officers Admission to Post Graduate Courses under Service Quota Act, 2008 (hereinafter referred to as 'the Act, 2008', for brevity) contemplates the in-service quota seats to be allotted only to Medical Officers working under Health Services Department (HSD), Medical Education Service (MES) and Insurance Medical Service (IMS). : 15 :

3. The petitioners contend that though a Society

named Institute of Integrated Medical Sciences (IIMS) is formed by the Government of Kerala for running the Medical College at Palakkad, the Society is wholly owned and controlled by the Government of Kerala. The Medical College is treated as a Government Medical College. The Medical College Hospital has been started to serve the downtrodden population in Palakkad District, mainly belonging to Tribal sects. The Medical College Hospital is a referral Hospital of other

Government Tribal Hospitals in the District. The denial of admission to the petitioners in the in- service quota for Medical PG Courses, ultimately affects the Scheduled Caste / Scheduled Tribe population. The Act, 2008 and the Rules made thereunder is a classic example of 'under inclusion' as the Act does not take in Medical Officers working under IIMS.

4. The learned counsel for the petitioners in W.P.(C)

No.2244/2022 pointed out that the 2 nd respondent-DME has filed a counter affidavit wherein it has been stated that the : 16 : Government Medical College, Palakkad is not an institution functioning under the Department of Medical Education and that the institution is functioning under the SC/ST Department. This is a clear admission that the IIMS Medical College, Palakkad is a Government Medical College.

5. The Government was considering to include the

Medical College at Palakkad also within the ambit of the Act, 2008, as is evident from Ext.P14 (in W.P.(C) No.2244/2022), but surprisingly, the additional counter affidavit filed on behalf of the 1st respondent-State of Kerala states that it has decided not to consider the Medical Officers of the IIMS Medical College, Palakkad for service quota in the current academic year.

6. The learned counsel representing the petitioners in W.P.(C) Nos.2403/2022 and 2209/2022, relying on the

judgment of the Apex Court in Tamil Nadu Medical Officers

Association and others v. Union of India and others [(2021) 6 SCC 568] urged that maintenance of public health is indispensable in view of Article 21 of the Constitution of : 17 : India. Right to life includes right to health. Therefore, the right to health is a fundamental right. Ext.P20 Statement of Objects and Reasons to the Act, 2008 (in W.P.(C) No.2043/2022) makes it clear that the benefit of the Act is meant for all Medical Officers under the State. The Medical Colleges under the Directorate of Medical Education are functioning in urban areas alone. Therefore, the benefit of in-service quota admission to Medical PG Courses granted to the

Medical Officers under the MES will not in any manner benefit rural population of the State.

7. The counsel for the petitioners further pointed out

that Medical Officers working in the IIMS Medical College are being deputed to various Tribal Hospitals for treatment of tribal population. The appointment to the Medical College, even if they are made by the Society, the Government has to regularise the appointments. This would show that the Government has deep and pervasive control over the affairs of the Medical College at Palakkad. Pointing out at Ext.R10(a) Vacancy Circular dated 13.01.2022 (in W.P.(C) : 18 : No.2209/2022), the learned counsel pointed out that even the vacancy of Director of the Society is filled up by the Government. In fact, the Government of Kerala and the IIMS themselves described the IIMS Medical College as Government Medical College in their various communications.

8. Relying on the judgment of the Hon'ble Apex

Court in *Ramana Dayaram Shetty v. International Airport Authority of India and others* [AIR 1979 SC 1628], the counsel for the petitioners argued that the IIMS is an agency of the State. The Government which represents the executive authority of the State, may act through the instrumentality or agency of natural persons or it may employ the instrumentality or agency of juridical persons to carry out its functions. If Government acting through its officers is subject to certain constitutional and public law limitations, it must follow a fortiori that Government acting through the instrumentality or agency of corporations should equally be subject to the same limitations. : 19 :

9. The learned counsel for the petitioners also relied

on the judgment in *Ajay Hasia v. Khalid Mujib Sehravardi and others* [AIR 1981 SC 487] and urged that a Society can be an authority and therefore State within the meaning of Article 12. In that case, it must follow that it is subject to the Constitutional obligation under Article 14. Equality is a dynamic concept. The classification must be founded on an intelligible differentia and the differentia must

have a rational relation to the objects sought to be achieved.

10. The Government has treated the IIMS College at

Palakkad as a Government Medical College. The Medical College is administered by the SC/ST Development Department of the Government of Kerala. The Medical Officers working in the College cannot be discriminated vis-a-vis Medical Officers working in the DME/DHS/IMS, contended the learned counsel for the petitioners.

11. The learned Government Pleader contested the

writ petitions on behalf of the respondents and submitted that the College where the petitioners are working, is not a : 20 : Government Medical College. The College is run by a Society named IIMS. The petitioners are appointed by the Society. The Act, 2008, especially Sections 2(b), 2(c), 2(d) and 2(k) as also Rule 4(ii) and Rule 4(iii), would clearly show that it is only the Medical Officers working under the DME/DHS/IMS alone are eligible for admission to PG Medical Courses under in-service quota.

12. The learned Government Pleader further urged

that when the Act, 2008 was enacted in the year 2008, the IIMS Medical College in Palakkad was not even in existence. A decision to start Medical College at Palakkad was taken only in the year 2012 and the College started functioning in the academic side only in the year 2014. Therefore, the petitioners cannot be heard to contend that the Act, 2008 is bad for under inclusion.

13. The Government Pleader further pointed out that

only the Director of the Society is appointed by the Government and all other members of the staff of the IIMS Medical College including Medical Officers are appointed by : 21 : the Society only. Ext.P11 order of appointment produced in W.P.(C) No.2244/2022 would show that appointment orders to staff members, are issued by the Society.

14. The Society may fall within the ambit of Article 12

of the Constitution of India, but it does not come within the definition of Government under Section 2(b) of the Act, 2008. The Government Pleader further argued that the Society is the appointing authority of the Medical Officers in IIMS Medical College. In Government services, appointments are through the Public Service Commission. In the case of the petitioners, the appointments were done by the Society directly. A part of the expenditure for running the Medical College is met through plan funds allocated to the SC/ST Development Department. From the above, it is evident that the Medical College at Palakkad is not a Government Medical College and therefore, the petitioners are not entitled to any relief in these writ petitions.

15. The learned counsel for the additional

respondents 10 to 19 in W.P.(C) No.2209/2022 and : 22 : additional respondents 6 to 8 in W.P.(C) No.2244/2022 vehemently resisted the writ petitions. The counsel for the additional respondents pointed out that by giving admission to PG Courses for the persons from the IIMS Medical College, the Medical Officers from DME will be affected. The petitioners were not recruited through any regular selection process. There were even vigilance cases against the recruitments made by the Society. The Society is an autonomous body independent from the Government. The Medical Officers under the Society are not transferable. While the salary of government servants in Kerala are made through SPARK, the salary paid to the petitioners are from Plan Fund transferred to the Society. The service conditions of the Government Medical Officers and the Medical Officers in the Palakkad Medical College are different.

16. The learned counsel for the additional

respondents further pointed out that the retirement age of Government Medical Officers is 62, whereas the petitioners' retirement age is 70. The Government Medical Officers are : 23 : gazetted officers, whereas the petitioners have no gazetted rank. The additional respondents are governed by the provisions of the KSR, whereas the petitioners are not governed by any statutory service rules.

17. The counsel for the additional respondents

underlined that inclusion or non-inclusion of the petitioners within the ambit of the Act, 2008, is a policy matter, a decision on which should be left to be taken by the Government of Kerala. There were other similar Government Institutions in Kerala registered as Societies and running Medical Colleges and those Institutions were also not brought within the ambit of the Act, 2008. The petitioners therefore cannot raise any grievance.

18. I have heard the learned counsel for the

petitioners, the learned Government Pleader representing the respondents, respective Standing Counsel representing the National Medical Commission and National Board of Examinations in Medical Sciences and the learned counsel representing the additional respondents. : 24 :

19. Admission to Post Graduate Medical Courses

under in-service quota is governed by the Act, 2008. The term Medical Officer is defined under Section 2(d) so as to mean a Doctor with MBBS qualification who is in service under the control of a Head of Department and includes a Lecturer or any other Doctor with a different designation as the Government may specify. Therefore, to be a Medical Officer eligible for admission under in-service quota, one should be in service under the control of a Head of Department. The term Head of Department is defined under Section 2(c) so as to mean the Director of Medical Education or the Director of Health Services or the Director of Insurance Medical Services or the Director of Municipal Administration of the State of Kerala. The petitioners are not working under any of the Directors falling within the ambit of Head of Department as defined in Section 2(c). Therefore, undoubtedly, the petitioners, who are working as Medical Officers under a registered Society, though coming under the administrative jurisdiction of the SC/ST Development : 25 : Department, cannot aspire for admission to Post Graduate Medical Courses under the in-service quota provided by the Act, 2008.

20. The petitioners contend that the Society IIMS is

only a mask and it is the Government of Kerala who is running the IIMS Medical College for all practical purposes. The petitioners would point out that even the Government Orders and proceedings of the Director, IIMS in various communications, have described the College as Government Medical College. The College is run utilising the Plan Funds of the Government of Kerala. All the Office Bearers and Executive Committee of the Society are Government Officers. The Government has deep and pervasive control over the Society and even the appointment of the Director of the Society is made by the Government. Recruitment of staff of the Society requires regularisation orders by the Government of Kerala. Therefore, going by the judgments of the Apex Court in *Ramana Dayaram Shetty (Supra)* and *Ajay Hasia (Supra)*, the IIMS Medical College should be : 26 : treated at par with other Government Medical Colleges.

21. The argument is that the Society IIMS should be

treated as an instrumentality or agency of the Government and consequently, the petitioners should be extended with the benefit of reserved PG Medical Seats under in-service quota. In *Ramana Dayaram Shetty (Supra)*, the Hon'ble Apex Court observed that the modern State operates a multitude of public enterprises and discharges a host of other public functions and if the functions of the Corporation are of public importance and closely related to governmental functions, it would be a relevant factor in classifying the Corporation as an instrumentality or agency of the Government.

22. While observing so, the Hon'ble Apex Court laid

down certain tests and criteria to decide whether such a Corporation / Institution can be treated as an agency of the Government. The Hon'ble Apex Court, considered the

judgment in *Ramana Dayaram Shetty (Supra)*, in *Ajay*

Hasia (Supra) and summarised the relevant tests gathered : 27 : from the decision in *Ramana Dayaram Shetty (Supra)* as follows: (1) One thing is clear that if the entire share capital of the corporation is held by Government it would go a long

way towards indicating that the corporation is an instrumentality or agency of Government.

(2) Where the financial assistance of the

State is so much as to meet almost entire expenditure of the corporation, it would afford some indication of the corporation being impregnated with governmental character.

(3) It may also be a relevant factor.....whether the corporation enjoys monopoly status which is the State conferred or State protected.

(4) Existence of deep and pervasive State control may afford an indication that the Corporation is a State agency or instrumentality.

(5) If the functions of the corporation of

public importance and closely related to governmental functions, it would be a relevant factor in classifying the corporation as an instrumentality or agency of Government.

(6) Specifically, if a department of

Government is transferred to a corporation, it would be a strong factor supportive of this inference of the corporation being an instrumentality or agency of Government. An agency of Government whether should be treated as an Authority and State within the meaning of the expression : 28 : under Article 12, can be determined only on the basis of the tests prescribed by the Hon'ble Apex Court.

23. The first test prescribed by the Apex Court is as

regards the share capital of the Corporation / Agency. If the entire share capital is held by the Government, it would go a long way towards indicating that the agency is an instrumentality of the State. The pleadings available in the writ petition would not indicate any capital investment by the Government in the Society, though there are averments to the effect that expenditure of the IIMS is met from the Plan Funds of the Government.

24. The Government Pleader would urge that the

Society is not functioning based on the sole funding of the Government of Kerala and the Society has its own ways and means to raise funds. Therefore, it cannot be said that the Medical College under the Society is run by the Funds of the Government of Kerala alone. This Court finds that the materials available in the writ petition are not sufficient to come to a conclusion as regards the capital fund of the : 29 : Society.

25. The Hon'ble Apex Court held that where the

financial assistance of the State is so much as to mean almost entire expenditure of the Corporation, it would afford some indication of the Corporation being impregnated with governmental character. But, in this case, the extent of financial assistance of the State provided to the Society, is not discernible.

26. The third test is as regards enjoyment of monopoly

status by the agency. The Society is running a Medical College Hospital. It cannot be said that the Society has a monopoly over the Medical Colleges in Kerala. Therefore, the IIMS does not satisfy the third test prescribed in *Ajay Hasia* (Supra).

27. The next test is existence of Deep and Pervasive

State Control so as to afford an indication that the Institution is a State agency or instrumentality. Apart from the averment in the writ petitions that all members of the Executive Committee of the Society are Government Officers, the : 30 : petitioners have not produced any dependable materials to decide whether such a Committee has deep and pervasive State Control. Neither the bye-laws of the Society nor the rules and regulations governing the Society are made available to the Court. It is possible that in spite of all the members of the Executive Committee being Government Officers, the Society still has autonomy and the Government control is limited and regulatory in nature. Therefore, this Court finds that the petitioners have not established that there exist deep and pervasive control by the Government over the Society.

28. Admittedly, the IIMS is not a Society to which a

Department of Government is transferred. The said test is also not satisfied in the case of the IIMS. If the functions of Society is of public importance and closely related to governmental functions, it would be a relevant factor in classifying the Society as an instrumentality or agency of Government. It is true that the IIMS is discharging functions which are closely related to governmental function of : 31 : providing medical assistance and health services in a tribal dominated area. But, that alone is not sufficient to hold that the IIMS is an instrumentality or agency of Government.

29. The conclusions that can be drawn from the afore

discussions is that the petitioners do not satisfy the requirements of Medical Officers as prescribed under the Act, 2008 and hence are not entitled to in-service quota reservations. The petitioners could not establish that the IIMS is an instrumentality of the State, providing sufficient materials to show that the IIMS satisfy the tests prescribed by the Hon'ble Apex Court in Ramana Dayaram Shetty (Supra) and Ajay Hasia (Supra). The writ petitions therefore fail and are consequently dismissed. Sd/- N. NAGARESH, JUDGE aks/23.04.2022 : 32 : APPENDIX OF WP(C) 2043/2022 PETITIONER'S EXHIBITS Exhibit P1 A TRUE COPY OF IDENTITY CARD ISSUED TO THE 1ST PETITIONER Exhibit P1A A TRUE COPY OF IDENTITY CARD ISSUED TO THE 2ND PETITIONER. Exhibit P2 A TRUE COPY OF THE REGULARISATION AND APPOINTMENT ORDER DATED 04-04-2020 ISSUED BY 5TH RESPONDENT WITH RESPECT TO 1ST PETITIONER. Exhibit P2A A TRUE COPY OF THE REGULARISATION AND APPOINTMENT ORDER DATED 30-03-2020 ISSUED BY 5TH RESPONDENT WITH RESPECT TO 2ND PETITIONER Exhibit P3 A TRUE COPY OF THE ORDER DATED 07-05- 2020 ISSUED BY 5TH RESPONDENT DECLARING THE SATISFACTORY COMPLETION OF PROBATION OF 1ST PETITIONER Exhibit P3A A TRUE COPY OF THE ORDER DATED 06-

052020 ISSUED BY 5TH RESPONDENT DECLARING THE SATISFACTORY COMPLETION OF PROBATION OF 2ND PETITIONER.

Exhibit P4 A TRUE COPY OF THE NEET PG 2021 SCORECARD OF THE 1ST PETITIONER. Exhibit P4A A TRUE COPY OF THE NEET PG 2021 SCORECARD OF THE 2ND PETITIONER Exhibit P5 A TRUE COPY OF THE KERALA MEDICAL OFFICERS ADMISSION TO POSTGRADUATE COURSES UNDER SERVICE QUOTA ACT, 2008 Exhibit P6 A TRUE COPY OF THE KERALA MEDICAL OFFICERS ADMISSION TO POSTGRADUATE COURSES UNDER SERVICE QUOTA RULES, Exhibit P7 A TRUE COPY OF THE G.O(MS) NO. ISSUED BY THE 1ST RESPONDENT : 33 : Exhibit P8 A TRUE COPY OF THE GO(MS) NO. 18/2022

H AND FWD DATED 15-01-2022 ISSUED BY THE 1ST RESPONDENT ALONG WITH THE RELEVANT PAGES OF PROSPECTUS FOR ADMISSION TO MEDICAL POST GRADUATE DEGREE COURSES, 2021-2022 ISSUED BY THE 2ND RESPONDENT DME

Exhibit P9 A TRUE COPY OF THE NOTIFICATION DATED 15-01-2022 ISSUED BY 6TH RESPONDENT CEE Exhibit P10 A TRUE COPY OF THE CERTIFICATE DATED 18-01-2022 ISSUED IN FAVOUR OF THE 1ST PETITIONER Exhibit P11 A TRUE COPY OF ACKNOWLEDGMENT PAGE REGARDING APPLICATIONS SUBMITTED BY THE 1ST PETITIONER. P11(a) COPY OF ACKNOWLEDGEMENT PAGE REGARDING APPLICATIONS BY 2ND PETITIONER. P12 COPY OF LETTER DT 31.10.2021 BY 2ND RESPONDENT P13 COPY OF ORDER DT 2.11.2021 BY 5TH RESPONDENT P14 COPY OF COMMUNICATION DT 5.11.2021 BY 5TH RESPONDENT P15 COPY OF GO DT 20.1.2022

P16 COPY OF GO DT 3.6.2019P17

OF PG MEDICAL ADMISSION P19 COPY OF GO DT 2.12.2021 P20 COPY OF STATEMENT OF OBJECTS AND REASONS TO KERALA MEDICAL OFFICERS ADMISSION TO PG COURSES UNDER SERVICE QUOTA ACT, 2008 RESPONDENT EXHIBITS R1(a) COPY OF PROSPECTUS R2(a) COPY OF LIST NO.1 PREPARED WITHOUT INCLUDING CANDIDATES FROM GOVT MEDICAL COLLEGE PALAKKAD : 34 : R2(b) COPY OF LIST NO.2 INCLUDING MEDICAL OFFICERS OF GOVT MEDICAL COLLEGE PALAKKAD : 35 :

APPENDIX OF WP(C) 2209/2022 PETITIONER'S EXHIBITS Exhibit P1 A TRUE COPY OF IDENTITY CARD ISSUED TO THE PETITIONER. Exhibit P2 A TRUE COPY OF THE REGULARISATION AND APPOINTMENT ORDER DATED 27.03.2020 ISSUED BY 5TH RESPONDENT WITH RESPECT TO THE PETITIONER. Exhibit P3 A TRUE COPY OF THE ORDER DATED

07.05.2020 ISSUED BY 5TH RESPONDENT DECLARING THE SATISFACTORY COMPLETION OF PROBATION OF PETITIONER.

Exhibit P4 A TRUE COPY OF THE NEET PG 2021 SCORECARD OF THE PETITIONER. Exhibit P5 A TRUE COPY OF THE KERALA MEDICAL OFFICERS ADMISSION TO POSTGRADUATE COURSES UNDER SERVICE QUOTA ACT, 2008. Exhibit P6 A TRUE COPY OF THE KERALA MEDICAL OFFICERS' ADMISSION TO POSTGRADUATE COURSES UNDER SERVICE QUOTA RULES 2009. Exhibit P7 A TRUE COPY OF THE GO(MS) NO.195/2021/H&FWD DATED 30.10.2021 ISSUED BY THE 1ST RESPONDENT. Exhibit P8 A TRUE COPY OF THE GO(MS) NO.18/2022 H

& FWD DATED 15.01.2022 ISSUED BY THE 1ST RESPONDENT ALONG WITH THE RELEVANT PAGES OF PROSPECTUS FOR ADMISSION TO MEDICAL POST GRADUATE DEGREE COURSES, 2021 2022 ISSUED BY THE 2ND RESPONDENT DME. Exhibit P9 A TRUE COPY OF THE NOTIFICATION DATED 15.01.2022 ISSUED BY THE 6TH RESPONDENT CEE. Exhibit P10 A TRUE COPY OF THE CERTIFICATE DATED 19.01.2022 ISSUED IN FAVOUR OF THE PETITIONER. Exhibit P11 A TRUE COPY OF ACKNOWLEDGMENT PAGE REGARDING APPLICATIONS SUBMITTED BY THE PETITIONER. : 36 : RESPONDENT EXHIBITS

R1(a) COPY OPF GO DT 20.1.2022R1(a)

INCLUDING CANDIDATES FROM GOVT MEDICAL COLLEGE PALAKKAD R2(b) COPY OF LIST NO.2 INCLUDING MEDICAL OFFICERS OF GOVT MEDICAL COLLEGE PALAKKAD R10(a) COPY OF VACANCY CIRCULAR : 37 : APPENDIX OF WP(C) 2244/2022 PETITIONER'S EXHIBITS Exhibit P1 TRUE COPY OF ORDER DATED 27.3.2020 OF THE 2ND RESPONDENT IN RESPECT

OF THE 1ST PETITIONER Exhibit P2 TRUE COPY OF ORDERS DATED 27.3.2020 OF THE 2ND RESPONDENT IN RESPECT OF THE 2ND PETITIONER Exhibit P3 TRUE COPY OF ORDER DATED 6.4.2020 ISSUED BY THE 5TH RESPONDENT Exhibit P4 TRUE COPY OF ORDER DATED 18.5.2020 ISSUED BY THE 5TH RESPONDENT Exhibit P5 TRUE COPY OF ORDER DATED 7.5.2020 ISSUED BY THE 5TH RESPONDENT Exhibit P6 TRUE COPY OF ORDER DATED 3.7.2020 ISSUED BY THE 5TH RESPONDENT Exhibit P7 TRUE COPY OF GO(MS) NO 18/2022/H&FWD DATED 15.1.2022 ISSUED BY THE 1ST RESPONDENT ALONG WITH THE PROSPECTUS Exhibit P8 TRUE COPY OF THE ACKNOWLEDGMENT PAGE OF APPLICATION OF THE 1ST PETITIONER DATED 17.1.2022 Exhibit P9 TRUE COPY OF THE ACKNOWLEDGMENT PAGE OF APPLICATION OF THE 2ND PETITIONER DATED 17.1.2022 Exhibit P10 TRUE COPY OF THE ACKNOWLEDGMENT PAGE OF APPLICATION OF THE 3RD PETITIONER DATED 17.1.2022 P11 COPY OF LETTER DT 31.10.2021 OF 2ND RESPONDENT P12 COPY OF ORDER DT 2.11.2021 P13 COPY OF LIST OF CANDIDATES DT 5.11.2021 P14 COPY OF ORDER DT 5.11.2021 BY 1ST RESPONDENT P15 COPY OF ORDER DT 2.12.2021 : 38 : RESPONDENT EXHIBITS

R1(a) COPY OF GO DT 20.1.2022 R1(a)

INCLUDING CANDIDATES FROM GOVT MEDICAL COLLEGE PALAKKAD R2(b) COPY OF LIST NO.2 INCLUDING MEDICAL OFFICERS OF GOVT MEDICAL COLLEGE PALAKKAD : 39 : APPENDIX OF WP(C) 2480/2022 PETITIONER'S EXHIBITS Exhibit P1 TRUE COPY OF THE IDENTITY CARDS ISSUED TO THE PETITIONER

Exhibit P2 TRUE COPY OF THE APPOINTMENT ORDER

DATED 3-5-2017 IN THE DEPARTMENT OF ORTHOPEDICS ISSUED BY 5TH RESPONDENT WITH RESPECT TO PETITIONER Exhibit P3 TRUE COPY OF THE ORDER DATED 7/5/2020 ISSUED BY 5TH RESPONDENT DECLARING THE SATISFACTORY COMPLETION OF PROBATION OF PETITIONER ON 4-5-2017 (FN) AS PER GVT ORDER GO(MS) NO. 9/2020/SC ST DD AND ORDER NO. 417/E1/GMC/PKD/2020(16)

Exhibit P4 TRUE COPY OF THE NEET PG 2021 SCORECARD OF THE PETITIONER Exhibit P5 TRUE COPY OF THE KERALA MEDICAL OFFICERS ADMISSION TO POSTGRADUATE COURSES UNDER SERVICE QUOTA ACT 2008 Exhibit P6 TRUE COPY OF THE KERALA MEDICAL OFFICERS ADMISSION TO POSTGRADUATE COURSES UNDER SERVICE QUOTA RULES, Exhibit P7 TRUE COPY OF THE GO(MS) NO 18/2022 H

AND FWD DATED 15-1-2022 ISSUED BY THE 1ST RESPONDENT ALONG WITH THE RELEVANT PAGES OF PROSPECTUS FOR ADMISSION TO MEDICAL POST GRADUATE DEGREE COURSES, 2021-2022 ISSUED BY THE 2ND RESPONDENT DME

Exhibit P8 TRUE COPY OF THE NOTIFICATION DATED 30-11-2021 FORWARDED TO THE FIRST RESPONDENT Exhibit P9 TRUE COPY OF THE REPRESENTATION DATED 30-11-2021 FORWARDED TO THE FIRST RESPONDENT Exhibit P10 TRUE COPY OF THE ORDER DATED 20-01- 2022 ISSUED BY THE FIRST RESPONDENT Exhibit P11 TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER DATED 20-01-2022 : 40 : RESPONDENT EXHIBITS R1(a) COPY OF RELEVANT PORTION OF PROSPECTUS R2(a) COPY OF LIST NO.1 PREPARED WITHOUT INCLUDING CANDIDATES FROM GOVT MEDICAL COLLEGE PALAKKAD R2(b) COPY OF LIST NO.2 INCLUDING MEDICAL OFFICERS OF GOVT MEDICAL COLLEGE PALAKKAD : 41 : APPENDIX OF WP(C) 6451/2022 PETITIONER'S EXHIBITS Exhibit P1 A TRUE COPY OF OFFICE ORDER SHOWING THE SERVICE DETAILS OF THE 1ST PETITIONER Exhibit P1(A) A TRUE COPY OF OFFICE ORDER SHOWING THE SERVICE DETAILS OF THE 2ND PETITIONER Exhibit P2 A TRUE COPY OF NEET-PG 2021 SCORECARD OF THE 1ST PETITIONER Exhibit P2(A) A TRUE COPY OF NEET-P5 2021 SCORECARD OF THE 2ND PETITIONER Exhibit P3 A TRUE COPY OF THE KERALA MEDICAL OFFICER'S ADMISSION TO THE POSTGRADUATE COURSES UNDER SERVICE QUOTA ACT, 2008 Exhibit P4 A TRUE COPY OF THE KERALA MEDICAL OFFICER'S ADMISSION TO POSTGRADUATES COURSES UNDER SERVICE QUOTO RULES, 2009. Exhibit P5 A TRUE COPY OF THE GO(RT.)NO.363/.2022

H&FWD DATED 15.02.2022 ISSUED BY THE 1ST RESPONDENT ALONG WITH THE PROSPECTUS FOR ADMISSION TO DNB POST MBBS DEGREE COURSES, 2021-2022 UNDER STATE SERVICE QUOTA

Exhibit P6 A TRUE COPY OF THE NOTIFICATION DATED 21.02.2022 ISSUED BY THE 6TH RESPONDENT-CEE Exhibit P7 A TRUE COPY OF THE CERTIFICATE DATED 22.02.2022 ISSUED IN FAVOUR OF THE 1ST PETITIONER. Exhibit P7(A) A TRUE COPY OF THE CERTIFICATE DATED 22.02.2022 ISSUED IN FAVOUR OF THE 2ND PETITIONER Exhibit P8 A TRUE COPY OF ACKNOWLEDGMENT PAGE REGARDING APPLICATIONS SUBMITTED BY THE 1ST PETITIONER : 42 : Exhibit P8(A) A TRUE COPY OF THE ACKNOWLEDGEMENT PAGE REGARDING APPLICATIONS SUBMITTED BY THE 2ND PETITIONER Exhibit P9 A TRUE COPY OF THE LETTER DATED 23.2.2022 ISSUED BY THE 5TH RESPONDENT TO THE 2ND RESPONDENT DME Exhibit P10 A TRUE COPY OF THE JUDGMENT DATED 31.01.2022 IN WA NO.153 OF 2022 AND CONNECTED CASES. Exhibit P11 A TRUE COPY OF THE LIST OF CANDIDATES

FOR BEING CONSIDERED FOR ADMISSION UNDER THE VARIOUS SERVICE QUOTA PUBLISHED BY THE 2ND RESPONDENT DME ON

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