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R.M.Chanchal, vs Kerala University of Health Sciences,

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SooperKanoon Citation : sooperkanoon.com/1857367

Court : Kerala

Decided On : Jul-30-2019

Judge : Honourable Smt. Justice P.V.Asha

Appeal No. : WP(C)/2683/2019

Appellant : R.M.Chanchal,

Respondent : Kerala University of Health Sciences,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE SMT. JUSTICE P.V.ASHA TUESDAY, THE 30TH DAY OF JULY 2019 / 8TH SRAVANA, 1941 PETITIONER/S: R.M.CHANCHAL, AGED 26 YEARS, D/O.R.M.SUDARDSAN, FINAL YEAR M.B.B.S. STUDENT, KANNUR MEDICAL COLLEGE, ANJARAKKANDY, MAMBA P.O., KANNUR-670611, KANNUR DISTRICT. BY ADV. SRI.WILSON URMESE RESPONDENTS:

1 KERALA UNIVERSITY OF HEALTH SCIENCES, MEDICAL COLLEGE P.O., THRISSUR, PIN-680596, REPRESENTED BY ITS REGISTRAR. 2 THE CONTROLLER OF EXAMINATIONS, KERALA UNIVERSITY OF HEALTH SCIENCES, MEDICAL COLLEGE P.O., THRISSUR, PIN-

680596. 3 THE PRINCIPAL/PRINCIPAL -IN -CHARGE, KANNUR MEDICAL COLLEGE, ANJARAKKANDY, MAMBA P.O., KANNUR-670611. BY ADVS. SRI.K.R.AVINASH (KUNNATH) SRI.P.SREEKUMAR,SC, KERALA UTY.HEALTH AND ALLIED SCIENCE SRI.ABDUL RAOOF PALLIPATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30.07.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The writ petition was filed seeking the following reliefs: (i) Call for the records leading to the case;

(ii) Issue a Writ of mandamus or order or

direction directing the respondents to register the name of the petitioner for the final year MBBS examination (supplementary papers - (medicine part - I & II and surgery part - I & II, scheduled to held on 01.02.2019, and issue hall ticket for writing the said examination;

(iii) To grant such other reliefs as this Hon'ble Court may deem fit.

2. The petitioner appeared in the

examination on the basis of interim order passed on 29.01.2019. Now the petitioner has filed an I.A.No.1/2019, stating that she has requested to issue NOC to do House Surgency in some other colleges/hospitals and the permission to do community medicine training for two months in Kannur Medical College on payment of Rs.3,50,000/- towards the dues.

3. The petitioner has submitted Ext.P4 representation for this purpose before the 3rd respondent.

4. The 3rd respondent submits that total amount due from the petitioner is Rs.5,68,000/-.

5. The learned counsel for the petitioner

> points out that out of the said amount Rs.1,20,000/- is demanded towards lag fee and Rs.98,000/- is towards hostel fee. It is stated that petitioner is willing to remit a sum of Rs.3,50,000/- towards tuition fee. As the petitioner has submitted that she is willing to make payment of Rs.3,50,000/-, on payment of the said amount, the 3rd respondent shall consider the request of the petitioner to do House Surgency in the College of her choice, provided that the petitioner produces permission from the University. In case there is any dispute regarding the amount due from the petitioner, the 3rd respondent would be free to

initiate appropriate proceedings for realisation of the same. Accordingly, this writ petition is disposed of. Sd/- P.V.ASHA, JUDGE. ww

APPENDIX PETITIONER'S EXHIBITS: EXHIBIT P1 TRUE COPY OF THE IDENTITY CARD, ISSUED TO THE PETITIONER, BY THE 1ST RESPONDENT UNIVERSITY. EXHIBIT P2 TRUE COPY OF THE DEMAND DRAFT DATED 28.01.2019 ISSUED BY STATE BANK OF INDIA, MAMANGALAM. EXHIBIT P3 TRUE COPY OF THE NOTICE DATED 25/03/2019 ISSUED TO THE PETITIONER'S FATHER, BY THE 3RD RESPONDENT. EXHIBIT P4 TRUE COPY OF THE REPLY DATED 25/05/2019, SUBMITTED BY THE PETITIONER'S FATHER, TO THE 3RD RESPONDENT.

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