

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE V.G.ARUN

Friday, the 14th day of October 2022 / 22nd Aswina, 1944
WP(C) NO. 32857 OF 2022(F)

PETITIONERS:

1. DR. ARJUN RAJEEV, AGED 25 YEARS S/O RAJEEV KARTHIKA, PAKKIL, PAKKIL P.O NATTAKOM S.O, NATTAKOM, KOTTAYAM, KERALA - 686013.
2. DR. VYSAKH PURUSHOTHAMAN, AGED 27 YEARS S/O PURUSHOTHAMAN, KRISHNANJALI HOUSE PATHANAMTHITTA. VETTOOR P.O, KERALA, 689653.
3. DR. JENTO THOMAS, AGED 29 YEARS,S/O THOMAS E J R/O ERANULLIL HOUSE VADAKKUMPURAM PO NORTH PARAVUR, ERNAKULAM KERALA 683521.
4. DR. SNAHA MARY EAPEN, AGED 44 YEARS D/O VAZHAVELITHARA IBRAHAM EAPPACHEN R/O VAZHAVELITHARA HOUSE, XX/47, OLD BAZAR ROAD, KOTTAYAM, KERALA - 686001.
5. DR. ASHIN MATHEW RAJ, AGED 30 YEARS S/O RAJU MATHEW, RESIDING AT SRA 45, NELLIMOODU LANE, MUKKOLA MARUTHOOR ROAD, KALLAYAM P.O, THIRUVANANTHAPURAM, KERALA, 695043.
6. DR. SACHIN SAJI, AGED 25YEARS S/O SAJI, RESIDING AT POIKAVILA PEACELAND, ARUMURIKKADA KUNDARA PO KOLLAM, KERALA, 691501.
7. DR. LORDSEY AILEN ROY, AGED 25 YEARS D/O ROYCHEN M P, RESIDING AT MARAMPARAMPIL(H), RAMANKARY,P.O, ALAPPUZHA, KERALA, 689595.
8. DR. JAYAPRAKASAN JEEVAN, AGED 26, S/O. JAYAPRAKASH,P.K, RESIDING AT DWARAKA HOUSE, KARAMALA (P.O), KOOHATTUKULAM, ERNAKULAM, KERALA-686662.
9. DR.JASMINE MARY JOHN, AGED 34, D/O. JOHN KURUVILA, RESIDING AT 4C EV SINAI TOWER, GCDA ROAD, NGO QUARTERS, MAVELIPURAM ROAD, ZONE 2, KAKKANAD, ERNAKULAM, KERALA-682021.
10. DR. ANUPAMA PRAKASH, AGED 26, D/O. GANGADHARAN PRAKASH, RESIDING AT CHANDRAVILASAM, PONGANADU, KILIMANOOR, THIRUVANANTHAPURAM, KERALA695601.
11. DR.PAVIN SAJI MATHEW, AGED 25, S/O. SAJI MATHEW GEORGE, RESIDING AT KIZHAKEPARAMBIL HOUSE, CKAMPAKARA(P.O), KARUKACHAL, KOTTAYAM, KERALA- 686540.
12. DR.GISHNU PRASAD, AGED 26, S/O. PRASAD KUMAR.J., RESIDING AT NARAYANEEYAM, VAKATHANAM, KOTTAYAM, KERALA- 686538.
13. DR.JAQUILIN ELSA MATHEW, AGED 26, D/O. SAJU.M.MATHEW, RESIDING AT SHALOM VILLA, PERISSERY (P.O), CHENGANNUR, ALAPPUZHA, KERALA689126.
14. DR. GREESHMA MATHEW, AGES 26, D/O. MATHEW ISSAC, RESIDING AT KOCHEEKUNNEL, KALLAD, KOTTAYAM, KERALA-686004.
15. DR. GLADY VARGHESE, AGED 26, D/O. VARGHESE SAMUEL, RESIDING AT BETHEL HOUSE, THEKKEKKARA (P.O), PALLIKKAL EAST, MAVELIKKARA, ALAPPUZHA, KERALA-690107.
16. DR. KEERTHANA UNNIKRISHNAN, AGED 26, D/O. K.R.UNNIKRISHNAN NAIR, RESIDING AT ANJANAM HOUSE, BOC ROAD, KARATTUPALLY, PERUMBAVOOR, ERNAKULAM, KERALA-683542.
17. DR. AMRITA.V., AGED 25, D/O. VIJAYAKUMARAN NAIR.M.K., RESIDING AT MANGATTU, ETTUMANOORAPPAN COLLEGE ROAD, ATHIRAMPUZHA, ETTUMANOOR (P.O), KOTTAYAM, KERALA- 686631.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF HEALTH & FAMILY WELFARE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, KERALA- 695001.
2. THE DIRECTOR OF HEALTH SERVICE, VANCHIYOOR P.O., THIRUVANANTHAPURAM, KERALA -695001.
3. THE DIRECTOR OF MEDICAL EDUCATION KERALA, DIRECTORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE P.O., THIRUVANANTHAPURAM. KERALA-695001.
4. GENERAL HOSPITAL, KOTTAYAM, REPRESENTED BY ITS SUPERINTENDENT, KUMILY RD, KOTTAYAM, KERALA 686001.
5. THE SUPERINTENDENT, GENERAL HOSPITAL, KUMILY RD, KOTTAYAM, KERALA 686001.
6. NATIONAL MEDICAL COMMISSION (UNDER GRADUATE MEDICAL EDUCATION BOARD), REPRESENTED BY ITS CHAIRMAN, POCKET 14, SECTOR 8, DWARKA, PHASE-1, NEW DELHI 77.
7. TRAVANCORE-COCHIN MEDICAL COUNCIL, REPRESENTED BY ITS REGISTRAR. THIRUVANANTHAPURAM.695001.
8. NATIONAL BOARD OF EXAMINATIONS IN MEDICAL SCIENCES REPRESENTED BY ITS EXECUTIVE DIRECTOR, MEDICAL ENCLAVE, ANSARI NAGAR, NEW DELHI-110029.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to issue direction to the respondents 1 to 5 and 7

- a) not to demand any internship fees in violation of circulars issued by the 6th respondent.
- b) disburse the stipend for the upcoming months.
- c) permit the petitioners to attend and complete the internship program without insisting for internship fee.
- d) issue the completion certificate to the petitioners on completion of stipulated internship program without demanding any internship fee.
- e) to accept the Course Completion Certificate issued by the Respondents 1 to 5.
- f) issue a writ of mandamus or other appropriate writ, order or direction to the 1st Respondent to consider Exhibit P7 representation and pass orders after affording an opportunity of personal hearing to the petitioners within a period of 3 weeks from today.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.V.A.HARITHA & JEEVAN RAJEEV Advocates for the petitioners, GOVERNMENT PLEADER for the respondents 1 to 5, SRI.N.RAGHURAJ, ADVOCATE for the respondent 7 and of SRI.T.SANJAY, ADVOCATE for the respondent 8, the court passed the following:

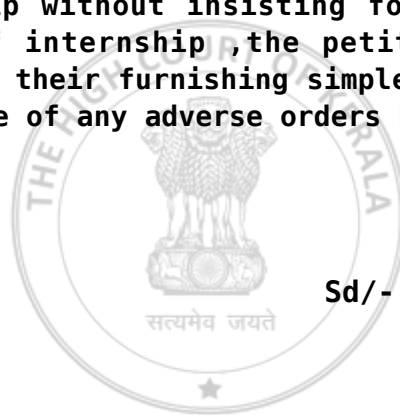
ORDER

Admit.

Learned Government Pleader takes notice for R1 to R5.

Issue notice to R6 through speed post Advocate N. Raghuraj takes notice for R7. Advocate T. Sanjay takes notice for R8.

In the light of the orders passed in similar case, there shall be an interim order directing respondents 1 to 5 to permit the petitioners to continue their internship without insisting for payment of internship fee. On completion of internship, the petitioners shall be issued completion certificate on their furnishing simple bond undertaking to pay the internship fee in case of any adverse orders being passed in this writ petition.



Sd/- V.G.ARUN JUDGE

APPENDIX OF WP(C) 32857/2022

Exhibit P7

**TRUE COPY OF THE NOTICE ISSUED BY THE 4TH RESPONDENT
HOSPITAL TO THE 1ST PETITIONER DATED 31.05.2022**

