



2024:KER:87379

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 21<sup>ST</sup> DAY OF NOVEMBER 2024 / 30TH KARTHIKA, 1946

WP(C) NO. 36499 OF 2024

PETITIONER/S:

- 1 DR. GAUTHAM KRISHNA.S  
AGED 25 YEARS  
S/O SANTHOSH KUMAR.K, FORMER MBBS STUDENT (STUDENT  
I D NO. M 173029), GOVERNMENT MEDICAL COLLEGE,  
KANNUR, PARIYARAM.P.O, KANNUR DISTRICT- 670 503  
RESIDING AT KRISHNA NILAYAM, KUNDAYAM.P.O,  
PATHANAPURAM, KOLLAM DISTRICT, PIN - 689695
- 2 DR.SABINRAJ CHARAPARAMBATH.C  
AGED 28 YEARS  
S/O SATHYANANDAN MBBS STUDENT (STUDENT I D NO.  
M173014) GOVERNMENT MEDICAL COLLEGE, KANNUR,  
PARIYARAM.P.O, KANNUR DISTRICT- 670 503 RESIDING  
AT CHARAPARAMBATH HOUSE, PAYAMBRA.P.O,  
KUNNAMANGALAM (VIA) KOZHIKODE DISTRICT, PIN -  
673571

BY ADVS.  
V.T.MADHAVANUNNI  
V.A.SATHEESH

RESPONDENT/S:

- 1 PRINCIPAL  
GOVERNMENT MEDICAL COLLEGE, KANNUR, PARIYARAM.P.O,  
KANNUR DISTRICT, PIN - 670503
- 2 NATIONAL MEDICAL COMMISSION  
POCKET-14, SECTOR-8, DWARAKA PHASE-1, NEW DELHI,  
REPRESENTED BY ITS CHAIR PERSON, PIN - 110077



- 3 KERALA UNIVERSITY OF HEALTH SCIENCES  
MEDICAL COLLEGE.P.O, THRISSUR, KERALAREPRESENTED  
BY ITS REGISTRAR, PIN - 680596
- 4 DIRECTOR OF MEDICAL EDUCATION  
DIRECTORATE OF MEDICAL EDUCATION, MEDICAL  
COLLEGE.P.O, THIRUVANANTHAPURAM, PIN - 695001
- 5 STATE OF KERALA  
REPRESENTED BY SECRETARY, HEALTH AND FAMILY  
WELFARE DEPARTMENT, GOVERNMENT OF KERALA,  
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001

BY ADVS.  
K.S.PRENJITH KUMAR  
Binny Thomas  
ADVOCATE GENERAL OFFICE KERALA  
P.SREEKUMAR (SR.) (K/410/1994)  
SRI.P.G.PRAMOD, GOVERNMENT PLEADER (GP-50)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 21.11.2024, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:



## **JUDGMENT**

The petitioners are the MBBS students (2017 batch of Government Medical College, Kannur). At present, they are undergoing House Surgency in the same college and the grievances of the petitioners are pertaining to the non-payment of stipend in their capacity as the House Surgeons. According to them, they are entitled to get Rs.25,000/- per month as stipend. It was pointed out that, as per Exts.P3 and P4 judgments, this Court passed directions to the college and the Government to pay the amount towards stipend. It is pointed out that, the 50% of the stipend has to be paid from the funds available under the Head Account 2210-05-105-80-12-00(Non Plan) of Kannur Government Medical College and the balance 50% from the own funds of the Medical College.

From perusal of the records it is evident that, the petitioners are similarly situated to that of the petitioner in Exts.P3 and P4 and hence they are entitled to get similar reliefs. In such circumstances, this writ petition is disposed of directing the



respondents to disburse 50% of the stipend due to the petitioners from the funds under the Head Account 2210-05-105-80-12-00(Non Plan) of Kannur Government Medical College and the balance 50% from the own funds of the Medical College. The said amount shall be disbursed within a period of one month from the date of receipt of a copy of this judgment.

Sd/-

**ZIYAD RAHMAN A.A.**  
**JUDGE**

rpk



**APPENDIX OF WP(C) 36499/2024**

**PETITIONER EXHIBITS**

- |                   |  |
|-------------------|--|
| <b>Exhibit P1</b> | <b>A TRUE COPY OF THE IDENTITY CARD<br/>RETAINED BY THE 1ST PETITIONER WHILE HE<br/>WAS WORKING AS A HOUSE SURGEON</b>       |
| <b>Exhibit P2</b> | <b>A TRUE COPY OF THE IDENTITY CARD ISSUED<br/>TO THE 2ND PETITIONER BY THE 1ST<br/>RESPONDENT</b>                           |
| <b>Exhibit P3</b> | <b>A TRUE COPY OF THE W.P( C)NO.4747/2024<br/>JUDGMENT DATED 27-2-2024 OF THIS<br/>HONOURABLE COURT</b>                      |
| <b>Exhibit P4</b> | <b>A TRUE COPY OF THE JUDGMENT DATED 11-9-<br/>2024 IN W.P( C)NO.29956 OF 2024 OF THIS<br/>HONOURABLE COURT</b>              |
| <b>Exhibit P5</b> | <b>A TRUE COPY OF THE ORDER IN G.O. (RT)<br/>NO. 1861/2024/H&amp;FWD ON 05-08-2024ISSUED<br/>BY THE GOVERNMENT OF KERALA</b> |
| <b>Exhibit P6</b> | <b>A TRUE COPY OF THE REPRESENTATION<br/>SUBMITTED BY THE 1ST PETITIONER BEFORE<br/>THE 1ST RESPONDENT, DATED 13-8-2024</b>  |
| <b>Exhibit P7</b> | <b>A TRUE COPY OF THE REPRESENTATION<br/>SUBMITTED BY THE 2ND PETITIONER BEFORE<br/>THE 1ST RESPONDENT, DATED 7-10-2024</b>  |