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WP No. 26258 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-08-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

W.P. No. 26258 of 2026
and W.M.P.No.28661 of 2026

Preethi.T
D/o. Thirumoorthy,
No. 91A, Anna Nagar,
Iraniyan Veethi,
Erode 638 009

..Petitioner

Vs

1. The Director/ Commissioner
Directorate of Indian Medicine and Homeopathy
Arumbakkam,
Chennai - 600106
2. The Secretary
Selection Committee
Directorate of Indian Medicine and Homeopathy
Arignar Anna Government Hospital of Indian Medicine
Campus
Arumbakkam
Chennai - 600106
3. The Dean
Maria Homeopathy Medical College and Hospital,
Pera, Thiruvattar Post
Near Marthandam
Kanniyakumari District - 629177
4. The Secretary
National Commission for Homeopathy
Ministry of AYUSH, Government of India
Jawaharlal Nehru Bharathiya Chikitsa Avum Homeopathy
Anusandhar Bhawan, No.61-65, 5th and 6th Floor
Institutional Area, Opposite to D - Block, Janakpuri
New Delhi - 110 026.
(R4 suo motu impleaded vide order dated 28.07.2026 mad in



WP.26258/2026 by MSQJ)

..Respondents)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the second respondent to consider the representation dated 16.06.2026 and reinstate the petitioner (MHMC202543) in the Bachelor of Homeopathic Medicine and Surgery (B.H.M.S) full course (2025- 2030) at the third respondent college based on the allotment order dated 10.10.2025 under Government quota seat NEET UG-AUSH 2025- 2026 (25UAG100687).

For Petitioner : Mr.D.Veerasekharan

For Respondents : Mr.C.Vigneswaran
Additional Government Pleader for R1 and R2
Mr.R.Sanjay
Central Government Standing Counsel for R4

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to consider the petitioner's representation dated 16.06.2026 and reinstate her (MHMC202543) in the Bachelor of Homeopathic Medicine and Surgery (B.H.M.S) full course (2025- 2030) at the third respondent college based on the allotment order dated 10.10.2025 under Government quota seat NEET UG- AUSH 2025- 2026 (25UAG100687).

2. The learned counsel appearing for the petitioner submitted that on



10.10.2025, the second respondent issued an order initially allotting a government-quota BHMS seat at the third respondent college to the petitioner.

Accordingly, the petitioner joined in the college on 10.11.2026 by paying necessary tuition fees and continued her studies. In the meanwhile, as the petitioner is the native of Erode and the third respondent college is far away from Erode District, her mother applied for second counselling without the knowledge of the petitioner. Unaware of the above fact, the petitioner has been continuing her studies in the third respondent college. On 16.03.2026 the petitioner paid the college fee of Rs.80,000/-. Thereafter, the third respondent permitted the petitioner to attend the period assessment examination 2025-2026 for all the subjects and waiting for the results. The petitioner also has been receiving the financial support of Rs.1,000/- from the Government of Tamil Nadu under "Puthumai Pen Thittam" for pursuing higher education. While so, on 11.05.2026, the third respondent college directed the petitioner to vacate the college along with her belongings in the hostel since she had applied for the second round of counselling NEET UG 2025-2026 and she had been allotted a seat at another college. Immediately therefore, during the second week of May, 2026, when the petitioner approached the second respondent, she was informed that the second respondent has allotted a Government quota seat in Sivaraj Homeopathy Medical College at Salem in the month of October, 2025 itself. The petitioner was further informed that since the provisional allotment order for the Sivaraj Homeopathy Medical College at Salem was not downloaded, the



second allotment at Salem college was closed as "not joined" and her allotment under first counselling at third respondent college got cancelled automatically.

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3. The learned counsel for the petitioner further submitted that the second respondent has not informed the petitioner about the second allotment in-time before completion of UG-AUSH counselling and the third respondent college also remained silent for the past seven months and all of a sudden, in May 2026 the third respondent directed the petitioner to discontinue the course and to vacate the college is purely an administrative malfunction. Even as per the provisional list of candidates allotted after last stray counselling on 22.01.2026, where 35 seats remained unfilled in the third respondent college including one reservation seat for SC-Arunthathiyar. The second respondent also released the refund list of advance tuition fee paid through online under Government and Governmentnet surrendered seats in self-financing colleges for admission to UG-AUSH courses for the academic year 2025-2026 to those allotted seats but not joined / discontinued the course before third round and the petitioner's name is found place at Serial No.62 eligible for Rs.10,000/- refund. Therefore, the petitioner made a representation dated 16.06.2026 to the second respondent to permit her to continue her Bachelor of Homeopathic Medicine and Surgery (BHMS) full Course (2025-2030) under government quota seats in third respondent college. Since the said representation has not been consider by the second respondent so far, the present writ petition has been filed.



4. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that since the petitioner failed to join in Sivaraj Homeopathy Medical College at Salem which was allotted in the second counselling, it might have lapsed.

5. In reply, the learned counsel for the petitioner submitted that since the petitioner is not aware of the fact that her mother applied for second counselling and no communication was sent to the petitioner about the allotment of seat under Government quota in Sivaraj Homeopathy Medical College at Salem which was also closed as the provisional allotment order was not downloaded and not joined. Therefore, for no fault of the petitioner, she cannot be denied her right to continue her studies in the third respondent college.

6. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2 also the learned Standing Counsel for the fourth respondent and perused the materials available on record.

7. Upon consideration of the submission of the learned counsel for the petitioner and also taking all the facts and circumstances into consideration, the



third respondent is directed to reinstate the petitioner into their college to continue her studies in BHMS full Course (2025-2030) as per the allotment order dated 10.10.2025 under Government quota seat. As far as the period from which the petitioner was directed to vacate the third respondent college till the date of her rejoining shall be excluded for the attendance requirements. The petitioner is directed to join in the third respondent college within a period of two weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

17-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
SRM

Note: Issue order copy on 19.08.2026



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KRISHNAN RAMASAMY, J.

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