

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17537 of 2015

&

M.P. No.1 of 2015

Minor Sudhapriya

Rep. By her Father and Natural Guardian

A.Venkatachalam

Kanchanoor Nadar Street

Salamaruthupatti Post

Uthangarai Taluk

Krishnagiri District

.. Petitioner

Vs.

1. The Secretary

Directorate of Government Examinations

DPI Compound, College Road

Chennai - 6

2. The Secretary/Selection Committee

MBBS/BDS Admission 2015-2016 Session

Directorate of Medical Education

Kilpauk, Chennai - 10

3. Medical Council of India

Rep. By Secretary

New Delhi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to forthwith assign/allot/award one more mark (1 more mark) i.e., full marks for Answer to Question No.37 in Biology-Zoology bearing Regn.No.401275 to the petitioner as the same fully satisfies the Key as well as the Text answer and to consequently direct the second respondent to revise the cut off marks and refix the BC Communal Ranking appropriately and to consider the claim of the petitioner for selection to the MBBS/BDS Admission 2015-2016 Session on the said basis and to extent all benefits arising thereto.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Ms.P.Rajalakshmi
Government Advocate

O R D E R

By consent the writ petition itself is taken up for final disposal.

2. The petitioner took part in the Higher Secondary examination and she had obtained 1182 out of 1200. In the core subjects, she obtained the following marks:

Physics - 198/200;
Chemistry-200/200; and
Biology-194/200.

The grievance expressed by the petitioner is that in respect of Question No.27 which pertains to "Endoscopy", she answered the question in full and also correctly in consonance with the text book as well as the key answer. But, she has been awarded only 9 marks out of 10 marks and in the event of awarding one more mark, her cut-off mark will become 197.00 in stead of 196.50, which would get her to be placed above 629 place in the Backward Community ranking and hence, prays for appropriate orders.

3. When the matter was listed on 19.06.2015, Mr.V.Subbiah, learned Special Government Pleader accepted notice on behalf of the respondents and sought time to get instructions and the matter was directed to be listed today.

4. Mr.Chandrakumar, learned counsel appearing for the petitioner, has drawn the attention of this Court to the key answer and the text book and would submit that though the petitioner has answered correctly, she was awarded only 9 marks instead of 10 marks.

5. Ms.Rajalakshmi, learned Government Advocate, on instructions, would also fairly submit that the petitioner is entitled to get one more mark as she answered the question correctly.

6. In the result, the writ petition is allowed and the petitioner is entitled to one more mark (full 10 marks) for answer to Question No.37 in Biology-Zoology pertaining to her Registration No.401275 and the first respondent is directed to issue temporary mark list after making the correction forthwith. The second respondent, in the light of this order, is directed to revise the cut-off marks and revise the Backward community ranking of the petitioner and consider her claim for selection and admission to MBBS/BDS for the Academic Year 2015-2016 and also extend consequential benefits, if any, to the petitioner forthwith. Both

the respondents are directed to upload the same in the respective website forthwith. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary
Directorate of Government Examinations
DPI Compound, College Road
Chennai - 6
 - 2.The Secretary/Selection Committee
MBBS/BDS Admission 2015-2016 Session
Directorate of Medical Education
Kilpauk, Chennai - 10
 - 3.Medical Council of India
Rep. By Secretary
New Delhi
- + 1 cc to Government Pleader SR 30573

vsn(co)
prk23/6

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