

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.18442 of 2015

and

M.P.No.1 of 2015

Minor Swethaasri
Represented by her
father and guardian
T.Rajasekar

.. Petitioner

vs

- 1.The State of Tamil Nadu
Represented by its
Principal Secretary to Government
Health & Family Welfare Department
Secretariat, Fort St. George
Chennai 600 009
 - 2.The Secretary
Selection Committee
Directorate of Medical Education
Kilpauk, Chennai 600 010
 - 3.The Director of Government
Examinations
DPI Campus, College Road
Chennai 600 006
 - 4.The Medical Council of India
Rep. By Secretary
Pocket-14, Sector-8
Dwarka, New Delhi 77
- .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the second respondent from conducting selection for admission to MBBS Course by considering the students, who have written the XII Standard Examination in the previous years based on the actual marks secured in the examination without adopting a method of Normalization/Standardization of marks secured in different sessions and consequently, directing the respondents 1 and 2 to select the petitioner for admission to MBBS Course on merits in selection.

For Petitioner : Mr.S.Sithirai Anandam

For Respondents : Mr.V.Subbiah
Special Government Pleader
for RR1 to 3

ORDER

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

2.The deponent of the affidavit filed in support of the writ petition, viz. the father of the petitioner-candidate, claims that his daughter wrote XII examination and secured 193 marks in Physics; 197 in Chemistry; 199 in Biology and 200 in Mathematics and her cut-off mark is 197.00 in respect of admission to MBBS Course, and she holds 1199th Rank under BC Quota, and the second respondent is adopting the method of allowing the students, who have completed XII Standard Examination in the previous years, to compete with the students, who have written XII Standard in the current year, based on the actual marks secured in each examination, without Normalization or Standardization of marks or by adopting any other scientific method for equating marks and such kind of process will be undermining the equity based on the actual performance of students in the examination, offending Article 14 of the Constitution of India and if such process is allowed to be done, the interest of students will be affected and hence, the petitioner came forward with this writ petition.

3.The Court heard the submissions of the learned Counsel appearing for the petitioner, Mr.V.Subbiah, learned Special Government Pleader, who accepted notice on behalf of the respondents 1 to 3, and Mr.V.P.Raman, learned Standing Counsel, who accepted notice on behalf of the fourth respondent.

4.Today, a Division Bench of this Court has declined to grant the similar relief vide common judgment in W.A.No.842 of 2015 batch etc. In view of the same, the petitioner, who is similarly placed, is not entitled to the relief and accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To:

1.The Principal Secretary to Government
Health & Family Welfare Department
Secretariat, Fort St. George, Chennai 600 009

2.The Secretary
Selection Committee
Directorate of Medical Education
Kilpauk, Chennai 600 010

3.The Director of Government
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DPI Campus, College Road
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4.The Secretary,
Medical Council of India
Pocket-14, Sector-8
Dwarka, New Delhi 77

+1 cc to Mr.S.Sithirai Anandan, Advocate,SR.32068

+1 cc to Government Pleader,SR.31809.

Lrs(co)
krd 8/7

W.P.No.18442 of 2015



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