

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 02.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18865 of 2015

S.Baskaran

F/o.B.Subiksha

... Petitioner

Versus

- 1 Medical Council of India
Rep. by its Secretary Pocket-14 Sector-8.
Phase-I Dwarka New Delhi-77.
- 2 The Selection Committee
Rep. by its Secretary No.162 Periyar EVR
High Road Kilpauk Chennai-10. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents to consider the petitioner daughter B.Subiksha Application Registration No.21957 for Counseling for the admission to MBBS/ BDS for Medical College.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.V.P.Raman (for R1)
Standing counsel for MCI
Mrs.P.Rajalakshmi (for R2)
Government Advocate.

O R D E R

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

2. The father of the petitioner has sworn to the affidavit on behalf of the petitioner stating that she belongs to backward class community and in the Higher Secondary Examinations conducted during March 2015, she secured 1166/1200 marks and in the core subjects, she secured the following marks.

Physics - 196/200
Chemistry - 197/200
Mathematics - 199/200

3. The petitioner has applied for admission to MBBS/BDS Course for the Academic year 2015-16, vide application No.411688 and she was assigned Application Registration No.21957. The grievance of the petitioner is that though she has secured good marks, she was not called for counselling and hence, came forward to file this writ petition.

4. The learned counsel appearing for the petitioner would submit that the petitioner has secured the cut off mark of 195.25 and since, she belongs to Backward Class Community, she ought to have been called for counselling and prays for appropriate orders.

5. This Court, heard the submissions of Mr.V.P.Raman, learned standing counsel, appearing for the 1st respondent and Mrs.P.Rajalakshmi, learned Government Advocate, appearing for the 2nd respondent, who on instructions, would submit that the cut off mark for candidates belonging to Backward Class Community is 196.25 and since the petitioner has got only 195.25, she was not called for counselling.

6. This Court, after considering the rival submissions and upon perusal of the materials placed before it, is of the view that the writ petition is liable to be dismissed, for the reason that the petitioner did not secure the required cut off marks and therefore, rightly she was not called for counselling by the 2nd respondent. Therefore, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1 The Secretary,
Medical Council of India
Pocket-14 Sector-8.
Phase-I Dwarka New Delhi-77.

2 The Secretary,
Selection Committee
No.162 Periyar EVR
High Road Kilpauk Chennai-10.

+1 cc to mr.r.Ramesh, Advocate, Sr.32727

+1 cc to Government Pleader, SR.33328.

Ala (co)

krd 15/7

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