

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.28286 of 2015

P. Parthiban

.. Petitioner

v.

1 The Secretary to the Government of TamilNadu
Department of Health and Family Welfare
St. George Fort Chennai

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

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the Secretary, Selection Committee, Directorate of Medical Education, Kilpauk, Chennai, the second respondent therein, to consider the application of petitioner's daughter named P. Suganya upon merit for admission in reservation seat for Schedule Caste Candidate for the Diploma in Nursing course for the 2015-2016 session.

For Petitioner : Mr.P.Uma
For Respondents : Mr.P.Sanjay Gandhi,
Addl Government Pleader

ORDER

The petitioner's daughter applied for admission to Diploma in Nursing Course for the year 2015-2016.

2. There are about 1300 seats which are available for Diploma Courses under Science Group and out of which, 238 seats were available for SC candidates under Science Group. During the first phase, counselling was conducted for the candidates who have applied under Vocational Group and were given admission to Diploma in Nursing Course. Counselling for total 251 seats in SC under Science Group was conducted and 175 SC candidates were allotted and the balance appears to be 76. Out of 76, 50 are being from SC General and 26 seats were ear-marked for Tamil Nadu

Adi-Dravider Housing Development Corporation. The petitioner's daughter rank is 2596 with the community rank of 344.

3. The afore stated facts are stated in the counter affidavit filed, which is extracted hereunder:

"7. It is further submitted that during the first phase, counselling was conducted for the candidates who have applied under Vocational Group and were given admission to Diploma in Nursing Course. As per clause 5(3)(b) of the Prospectus for admission to Diploma in Nursing Course 2015-2016 session, the remaining 13 vacant seats in SC community after exhausting the merit list in Vocational Group was added to the SC seats available in science group. Hence, counselling for total number 251 (238 + 13) seats in SC under Science Group was conducted. So far, 175 SC candidates have been allotted in the seats ear-marked for SC and the cut-off mark of the last candidate allotted under SC quota during the first phase of counselling is 76.63. The balance of 76 (SC -General - 50 and TAHDCO 26) seats are yet to be filled up during the second phase of counselling.

8. It is submitted that the last candidate with cut-off mark of 76.63 with general rank of 1633 and community rank of 344 in the merit list for SC was allotted under Science Group. The petitioner's daughter rank is 2596 and her rank is far away from the rank of the last candidate allotted under SC category under Science group. She does not come under the zone of consider for admission to Diploma in Nursing Course 2015-2016 session."

4. Thus, the petitioner does not have a chance as on today. However, in the event of any future vacancy and the petitioner's rank having been reached under SC quota, the respondents shall consider the case of the petitioner's daughter.

The writ petition is disposed of accordingly. No costs.

Rj

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1 The Secretary to the Government of TamilNadu
Department of Health and Family Welfare
St. George Fort Chennai

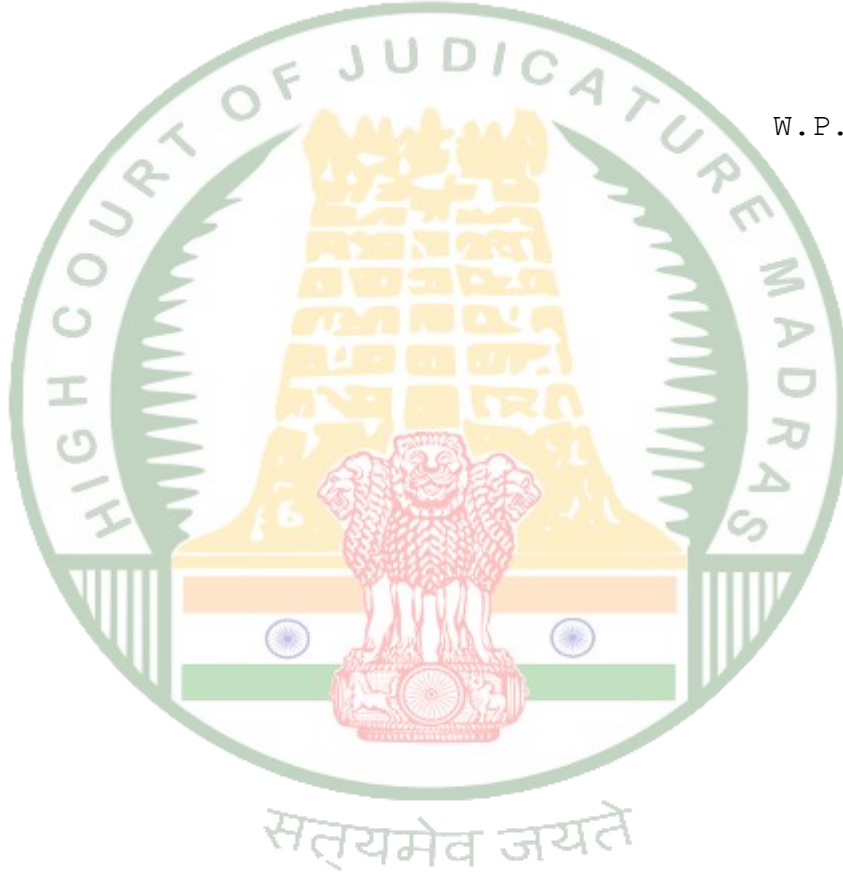
2 The Secretary
 The Selection Committee
 Directorate of Medical Education
 Kilpauk, Chennai

+ 1 cc to M/s.P.Uma, Advocate SR 53873

+ 1 cc to Govt.Pleader SR 54066

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