

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.12.2016

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.19485 of 2013

MP.1 of 2013

Joshmitha,
minor rep. by natural guardian
and mother Zayalatchoumy .. Petitioner

Vs

- 1.Union of India,
rep. by the Government of Puducherry,
through the Secretary to Government for Education,
Chief Secretariat, Puducherry.
- 2.The Convener Centralised Admission
Committee (CENTAC), Puducherry
Engineering College Campus,
Puducherry. .. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the second respondent to admit the petitioner to the first year of the M.B.B.S. course for the academic year 2013-2014 on the basis of the ranking of the petitioner under the Schedule Caste quota and to pass such orders.

For Petitioner : Mr.V.Ajayakumar
For Respondents : Mr.J.Kumaran, GA

ORDER

This writ petition has been filed seeking a writ of mandamus to direct the second respondent to admit the petitioner to the first year of the M.B.B.S. course for the academic year 2013-2014 on the basis of the ranking of the petitioner under the Schedule Caste quota.

2. It is the case of the petitioner that she belongs to Schedule Caste category and after completing her H.S.C.Course, she had applied for M.B.B.S. Course before the first respondent herein and attended counseling on 09.07.2013 also. Subsequently, she had been denied for admission on the ground that she comes under the migrated Scheduled Caste candidate. It is her further case that her mother and her forefathers are natives of Puducherry and continuous resident of Puducherry and they were permanently settled down on Puducherry. The respondents herein had insisted upon the birth of the father of petitioner herein had discriminated her admission which arbitrary and hence, the present writ petition had been filed.

3. Mr.J.Kumaran, learned Government Advocate appearing for the respondents would submit that the petitioner had sought for admission to the first year of the M.B.B.S. course for the academic year 2013-2014 and hence, as on today the same had become infructuous and nothing survives for further adjudication in this matter. He would further submit that with regard to the eligibility of M.B.B.S. Course of the Schedule Caste candidates, the issue is pending before the Honourable Supreme Court and the Honourable Supreme Court had also granted interim stay and the matter is likely to be taken up for consideration.

4. In view of the aforesaid fact and taking into consideration that the petitioner had sought for first year M.B.B.S.Course for the academic year 2013-2014, also in view of the submission made by the learned Government Advocate, since the prayer made in this writ petition had become infructuous, this writ petition is dismissed as infructuous. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To,

1.The Secretary to Government for Education,
Union of India,
The Government of Puducherry,
Chief Secretariat, Puducherry.

2.The Convener Centralised Admission
Committee (CENTAC), Puducherry
Engineering College Campus,
Puducherry.

+lcc to Mr.V. Ajaya Khmas, Advocate, S.R.No.72295

ks (CO)
md(18/01/2017)

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