

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-11-2017

CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.Nos.30457 & 30458 of 2017
and
W.M.P.Nos.33243 & 33244 of 2017

Dr.Haresh Kumar ... Petitioner
(WP.No.30457/2017)

Dr.Mahalakshmi ... Petitioner
(WP.No.30458/2017)

Vs

1.The Director,
National Board of Examination,
Medical Enclave, Ansari Nagar,
Mahatma Gandhi Marg (Ring Road)
New Delhi-110029.

2.The Director General of Health Services,
Ministry of Health and Family Welfare,
Nirman Bhavan,
New Delhi-110011.

... Respondents
(In both Writ Petitions)

Prayer in WP.No.30457/2017 : Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to permit the petitioner to alter the category in the application form from "OBC-NCL to General category or in the alternative to cancel the application submitted on 31.10.2017 in candidate no.5555051744 and permit the petitioner to reregister his candidature by submitting fresh application.

Prayer in WP.No.30458/2017: Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to permit the petitioner to alter the category in the application form from "OBC-NCL" to General category or in the alternative to cancel the application submitted on 31.10.2017 in registration no.555020304 and permit the petitioner to reregister her candidature by submitting fresh application.

For Petitioner : Ms.R.Poornima
(in both Writ Petitions)

For Respondents : Mr.P.C.Naveen Kumar for
Mr.Anand Samy & Dhruva (for R1)

Mr.B.Rabu Manohar (for R2)
(in both Writ Petitions)

C O M M O N O R D E R

The petitioners are M.B.B.S., Degree holders and they applied for PG course through online application on 03.11.2017. Dr.Haresh Kumar had been assigned with candidate ID.No.555505144 and Dr.Mahalakshmi had been assigned with candidate ID.No.5555039138 and registration No.555020304. As the petitioners come under creamy layer of backward community, the petitioners are required to click the category to which they belong and therefore, they had to click General Category. However, due to anxiety and without noticing NCL (non-creamy layer), the petitioners selected OBC option, instead of selecting General Category. Therefore to rectify the mistake, the petitioners sent an e-mail message to the respondents pointing out the mistake committed by them and to treat them as General Category. Since it has not been done, the petitioners have come before this Court.

2.When the matters are called today, Ms.R.Poornima, learned counsel appearing for the petitioners would submit that yesterday, the respondents issued notification, rectifying the mistake committed by the petitioners and therefore, the petitioners are now fitted under General Category. She has also made an endorsement to that effect.

3.In view of the above submission and endorsement made by the learned counsel for the petitioners, these writ petitions have become infructuous. Accordingly, these Writ Petitions are dismissed as infructuous. Consequently connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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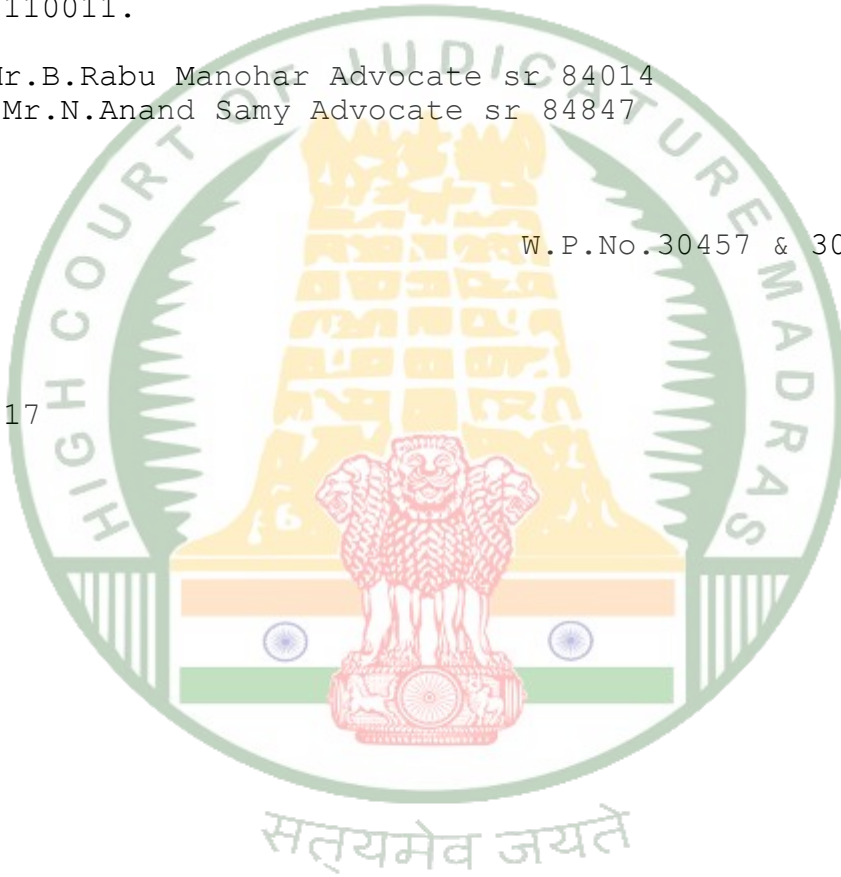
1.The Director,
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Mahatma Gandhi Marg (Ring Road)
New Delhi-110029.

2.The Director General of Health Services,
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Nirman Bhavan,
New Delhi-110011.

+1 cc to Mr.B.Rabu Manohar Advocate sr 84014
+2 ccs to Mr.N.Anand Samy Advocate sr 84847

W.P.No.30457 & 30458 of 2017

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