

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.23994 of 2017
and
W.M.P.No.25303 of 2017

R.Akash ... Petitioner
rep. by his father and
natural guardina V.P. Ram Kumar

vs.

1. Union of India,
represented by Secretary to Government
Ministry of Health & Family Welfare,
New Delhi.
2. Directorate of Health Services,
represented by Director General,
Room No.446A,
Nirma Bhavan,
Maulana Azad Road,
New Delhi 110 018.
3. Sri Balaji Vidyapeeth (Deemed University)
represented by its Registrar,
NH 45A, Pillayarkuppam,
Puducherry - 607 403.
4. Mahatma Gandhi Medical College & Research Institute
represented by its Dean,
NH 45A, Pillayarkuppam,
Puducherry - 607 403.
5. Medical Council of India,
Rep. by Secretary,
Pocket 14, Sector 8,
New Delhi.

..Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the second respondent herein to include the name of the petitioner with NEET Roll No.908325027 as the last candidate in the 'Second final candidates list for offline Mop Up round for admission to undergraduate Medical/ Dental seats/Dental seats for Deemed/ Central Universities for the year 2017-18' and to grant him admission in the Fourth Respondent (College) under the Third Respondent (Deemed University) subject to availability of vacancy.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.Su.Srinivasan,
Assistant Solicitor General for R1
Mr.K.Kumaresh Babu,
Standing counsel for R3 and R4
Mr.V.P.Raman,
Standing Counsel for R5

O R D E R

The petitioner seeks for the following relief:

"To issue a Writ of Mandamus to direct the second respondent herein to include the name of the petitioner with NEET Roll No.908325027 as the last candidate in the 'Second final candidates list for offline Mop Up round for admission to undergraduate Medical/ Dental seats/Dental seats for Deemed/ Central Universities for the year 2017-18' and to grant him admission in the Fourth Respondent (College) under the Third Respondent (Deemed University) subject to availability of vacancy."

2. Heard the learned counsel for the petitioner and Mr.Su.Srinivasan, learned Assistant Solicitor General appearing for the 1st respondent, Mr.K.Kumaresh, learned Standing Counsel appearing for the 3rd and 4th respondents and Mr.V.P.Raman, learned Standing counsel appearing for the 5th respondent.

3. The petitioner, by way of the present writ petition seeks admission to MBBS/BDS courses for the academic year 2017-2018 in any one of the Deemed Universities. The grievance of the petitioner is that several students who have secured lesser marks/rank than the petitioner have been included in the second final candidates list for offline mop up round for admission to MBBS/BDS course in Deemed/ Central Universities for the year

2017-18. Learned counsel appearing for the petitioner further submitted that the last date for conducting the counselling for admission is fixed as 07.09.2017 and therefore, this Court can show some indulgence.

4. On the other hand, the learned Assistant Solicitor General appearing for the first respondent, based on instruction, submitted that the petitioner has not at all applied for admission to MBBS/BDS course in the Deemed Medical University and therefore, now the petitioner cannot come and approach this Court and seek the remedy. He further submitted that in fact, the petitioner indirectly wants the extension of time for making such application, which has already expired.

5. Learned counsel appearing for the petitioner, on instruction submitted that it is true that the petitioner has not applied for admission to MBBS/BDS course in Deemed Universities but however, he insisted that the petitioner's case can be considered.

6. Upon hearing the learned counsel for the petitioner and the learned Assistant Solicitor General appearing for the first respondent, this Court is of the view that the claim of the petitioner cannot be considered or granted as admittedly, the petitioner has not made an application for admission to MBBS/BDS course in the Deemed Universities, for which, the last date to make such application is already over. Therefore, by way of the present writ petition, the petitioner cannot indirectly seek for extension of time for submitting the application itself. Consequently, I find no merits to entertain the writ petition. Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsi
To

1. The Secretary to Government
Union of India,
Ministry of Health & Family Welfare,
New Delhi.

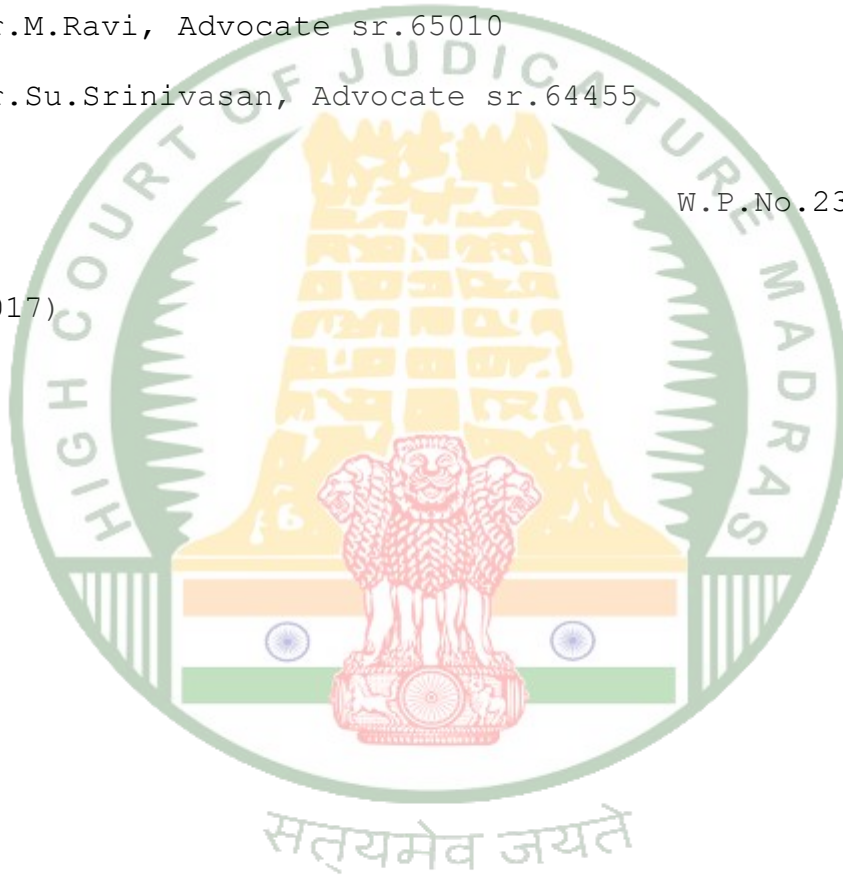
2. The Director General,
Directorate of Health Services,
Room No.446A,
Nirma Bhavan,
Maulana Azad Road,
New Delhi 110 018.
3. The Secretary,
Medical Council of India,
Pocket 14, Sector 8,
New Delhi.

+1cc to Mr.M.Ravi, Advocate sr.65010

+1cc to Mr.Su.Srinivasan, Advocate sr.64455

W.P.No.23994 of 2017

nm(co)
ss(22/9/2017)



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