

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2017

CORAM

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.19957 of 2015 and
M.P.No.1 of 2015

S.Poongundran

... Petitioner

Vs

1. The State of Tamil Nadu
rep. by its Secretary to Government,
Higher Education Department,
Secretariat, Chennai-9.
2. The Secretary to Government,
School Education Department,
Secretariat, Chennai-9.
3. The Director of School Education,
DPI Complex, Nungambakkam,
Chennai-6.
4. The Selection Committee for Admission of
MBBS Course rep. by its Secretary,
Directorate of Medical Education,
No.162, Periyar EVR Salai,
Kilpauk, Chennai-10.
5. Medical Council of India,
Aiyar-E, Gabib Marg, Kotla Road,
Opp. to Madasundari College of Women,
New Delhi.
6. The Central Board of Secondary Education
rep. by its Chairman,
Shiksha Kendra,
2, Community Centre, Preet Vihar,
New Delhi-110 301.
7. Indian Certificate of Secondary Education
rep. by its Chairman,
Pragati House,
3rd Floor, 47-48 Nehru Place,
New Delhi-110 019.

... Respondents

(R6 and R7 were suo motu impleaded as per order dated 10.03.2017
by NKKJ in W.P. 19957 of 2015).

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to frame a scheme by virtue of which either a reduced cut off mark has to be fixed for admission to MBBS Course for the students who have properly underwent two year Plus Two Course or to provide a percentage of seats for the said group of students and in any event to provide admission to the petitioner to MBBS Course in any of the Medical Colleges in the State under Government Quota.

For Petitioner : Mr.S.Arunkumar
For Respondents : Mr.V.Anandhamurthy, AGP for
R1 to R4
Mr.V.P.Raman for R5

ORDER

The petitioner, who belongs to the Most Backward Class Community, after completing the Higher Secondary Examination, applied for MBBS Course for the academic year 2014-15. However, the admission was not granted and hence, he joined B.SC. (Chemistry) 3 years course from 2014-2017 and it is also stated that the petitioner has completed the course.

2. It is the grievance of the petitioner that the candidates are coming out of the private schools by studying +2 for two years by adopting the XII Standard Syllabus only and ignoring the XI Standard Syllabus. In the result, the students are not exposed to the XI Standard Syllabus and the focus is only on the XII Standard Syllabus. In this regard, it is stated that several newspapers and dock shows have been reporting the said facts of the private schools. Hence, the Writ Petition is filed by the petitioner seeking a direction, directing the respondents to frame a scheme by virtue of which either a reduced cut off mark has to be fixed for admission to MBBS Course for the students who have properly underwent two years Plus Two Course or to provide a percentage of seats for the said group of students and in any event to provide admission to them in any of the Medical Colleges in the State under Government Quota.

3. After filing of the writ petition, much water has flown. The admission to medical college itself has evolved a new procedure, namely, NEET Examination, which is conducted countrywide. Besides, the Tamil Nadu Government also has taken note of the actual grievance expressed by the petitioner that XI Standard lessons have not been taught to the students and the portions of the XII Standard syllabus only are taught and revised for the entire two years. Therefore, it is supposed to conduct examination for both XI Standard as well as XII Standard

and the marks scored in two years will be considered for joining any course. In the light of the above development in the pattern of conducting examination in the +2 as well as selection/admission to MBBS Course through NEET Examination, the relief sought for by the petitioner is departmentally answered. In the light of the G.O.Ms.No.100, School Education (Govt. Examination-1) Department, dated 22.05.2017, nothing survives to be answered.

4. In the result, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
State of Tamil Nadu,
Higher Education Department,
Secretariat, Chennai-9.
2. The Secretary to Government,
School Education Department,
Secretariat, Chennai-9.
3. The Director of School Education,
DPI Complex, Nungambakkam,
Chennai-6.
4. The Secretary,
Selection Committee for Admission of
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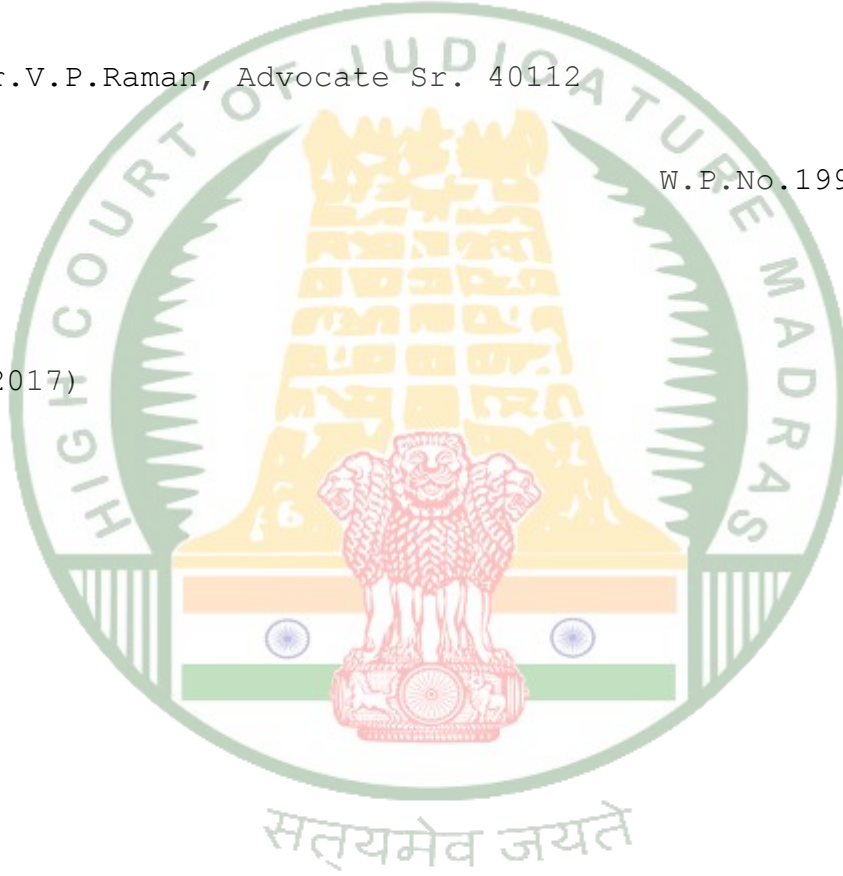
6. The Chairman,
Central Board of Secondary Education,
Shiksha Kendra,
2, Community Centre, Preet Vihar,
New Delhi-110 301.

7. Chairman,
Indian Certificate of Secondary Education,
Pragati House,
3rd Floor, 47-48 Nehru Place,
New Delhi-110 019.

+1cc to Mr.V.P.Raman, Advocate Sr. 40112

W.P.No.19957 of 2015

SJ(CO)
VR(19/06/2017)



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