

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 11.07.2017

Delivered on : 14.07.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.16927 of 2017

and

WMP. No.18387 of 2017

N.Gopalakrishnan

... Petitioner

Vs.

1. The Secretary to Government
Health Department, Fort St. George,
Chennai-600 009.
2. The Director,
Central Board of Secondary Education,
New Delhi.
3. The Regional Director,
Central Board of Secondary Education,
Anna Nagar, Chennai-40.
4. The Director of Medical Education,
Kilpauk, Chennai-10. Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to fill up the MBBS seats in Government Medical Colleges and Aided Medical College in Tamil Nadu on the basis of the marks obtained in +2 examination along with pass in NEET.

For Petitioner: Mr.C.Prakasam

For Respondents: Mr.R.Muthukumaraswamy,
learned Advocate General
Assisted by Mr.T.N.Rajagopalan,
learned Special Government Pleader
For R1 & R4
Mr.G.Nagarajan,
learned Standing Counsel, For R2 & R3

O R D E R

The petitioner seeks for a mandamus directing the respondents to fill up the MBBS seats in Government Medical Colleges and Aided Medical College in Tamil Nadu on the basis of the marks obtained in +2 examination along with pass in NEET.

2. Heard the learned counsel appearing for the petitioner, learned Advocate General appearing for the respondents 1 and 4 and the learned standing counsel appearing for the respondents 2 and 3.

3. It is an admitted position that the admission to the MBBS/BDS Courses is to be made based on the marks obtained in NEET examination alone and not on the basis of the marks obtained in +2 examination. Of course, the candidate who seeks to appear for NEET examination has to get 50% of marks in the +2 examination. Therefore, such 50% marks in the +2 examination is only the qualifying marks for appearing in the NEET examination and the petitioner is not entitled to seek for consideration of such +2 marks again, while considering his case for admission to the MBBS/BDS Courses, after passing the NEET examination. When the marks obtained in the NEET is the sole criteria for admission to the MBBS/BDS Courses, the petitioner herein seeks for combined consideration of marks obtained in +2 examination as well as NEET. Such request is totally against the MCI regulation as well as Section 10 D of the Indian Medical Council Act, 1956. Therefore, I consider that the prayer sought for in this writ petition is totally mis-conceived. Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

NM

To

1. The Secretary to Government
Health Department, Fort St. George,
Chennai-600 009.
2. The Director,
Central Board of Secondary Education,
New Delhi.

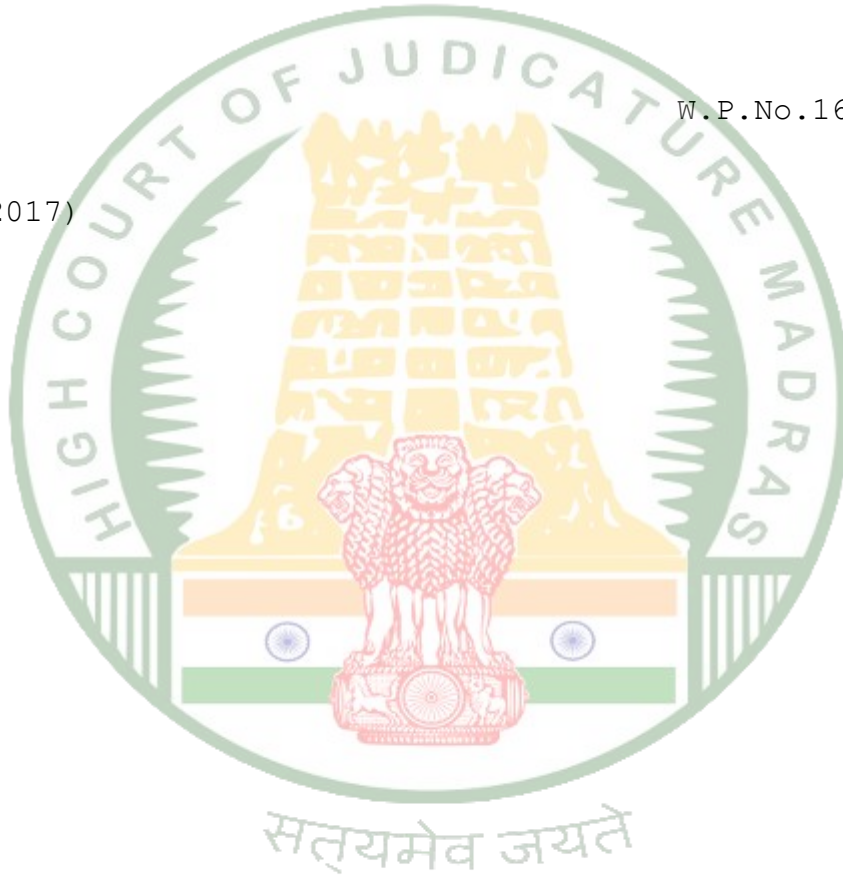
3. The Regional Director,
Central Board of Secondary Education,
Anna Nagar, Chennai-40.

4. The Director of Medical Education,
Kilpauk, Chennai-10.

+1 CC to Mr.V.P. Raman, Advocatesr 49922

W.P.No.16927 of 2017

NM(CO)
sp(29/07/2017)



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