

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.05.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.12244 of 2018 and WMP.Nos.14300 of 2018

Dr.Jayavarshini Jothivel

... Petitioner

Versus

1. The Registrar,
The Medical council of India,
Pocket 14, Sector - 8
Dwarka, New Delhi 110 077.
 2. The Director,
The National Board of Examinations,
Medical Enclave, Ansari nagar,
Mahatma Gandhi Marg (Ring Road),
Post Box No.4931, New Delhi -110 029
- ... Respondents

PRAYER:

Writ petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioner's name under the category of OBC and provide the benefits as declared under the revised list of cut-off scores for OBC Category and accommodate the petitioner for counseling for the PG Courses for the Academic Year 2018-2019 .

For Petitioner : Mr.T.Thiageswaran
Senior Counsel
for Mr.Waron and Sai Rams

For Respondents : Mr.V.P.Raman for R1

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents to consider the petitioner's name under the category of OBC and provide the benefits as declared under the revised list of cut-off scores for OBC Category and accommodate the petitioner for counseling for the PG Courses for the Academic Year 2018-2019 .

2. Mr.T.Thiageswaran, learned Senior Counsel appearing on behalf of the writ petitioner made a submission that the community entries made in respect of this writ petitioner is erroneous. Based on the wrong consideration, her name is included in the rank list and she is entitled to get a better position in the ranking list on account of the community which she belongs. At the outset, the learned senior counsel on behalf of the petitioner states that the authorities have committed a mistake in considering the case of the petitioner and rank list was erroneously prepared in respect of the writ petitioner and the community to which the writ petitioner belongs, has not been properly considered by the competent authority.

3. In this view of the matter, the writ petitioner is at liberty to submit a fresh representation immediately setting out all the facts and circumstances and by enclosing all relevant documents to the 2nd respondent and in the event of any such representation from the petitioner, the 2nd respondent is directed to consider the said representation and correct, if any mistake had occurred and include the name of the petitioner in the rank list in the appropriate place, enabling the petitioner to participate in the next counseling and such an exercise is to be done before the completion of the selection process as per the schedule.

4. The writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rka/sk

To

1. The Director,
The National Board of Examinations,
Medical Enclave, Ansari nagar,
Mahatma Gandhi Marg (Ring Road),
Post Box No.4931, New Delhi -110 029

+1cc to M/s.D.Saraswathi, Advocate in sr.no.33530

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SVI (CO)

CS/11/05/18