

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

WRIT PETITION No.16631 of 2018

Swetha, K.

... Petitioner

vs.

1. The Government of Tamil Nadu,
rep. by its Principal Secretary,
Health Department,
Secretariat, Chennai - 9.
2. The Secretary,
Selection Committee,
Directorate of Medical Education,
No.162, Periyar E.V.R. High Road,
Kilpauk, Chennai 600 010.
3. The Joint Secretary,
Central Board of Secondary Education,
National Eligibility cum Entrance Test (UG) 2018,
Shiksha Kendra-2, Community Centre,
Preet Vihar, Delhi - 110 092.
4. The Medical Council of India,
rep. By Secretary,
Pocket No.25, Sector 8,
Dwaraka Phase I,
New Delhi - 110 077.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the Respondents to include the candidature of Swetha, K. with AR No.18892 given by Selection Committee DME (Directorate of Medical Education), in the provisional rank list published by the Directorate of Medical Education, so as to entitle her in participating in the Counselling for admission into medical seat under the Tamil Nadu State Quota.

For Petitioner : Mr.T.Srikrishna Bahagavat
for Mr.P.Subba Reddy

For Respondents 1 & 2 : Mrs.V.Annalakshmi,
Government Advocate

For 3rd Respondent : Mr.G.Nagarajan
For 4th Respondent : Mr.V.P.Raman

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to include her name in the provisional rank list published by Directorate of Medical Education, so as to entitle her to participate in the Counselling for admission into medical seat under the Tamil Nadu State Quota.

2. According to the Petitioner, she is a native of Kanyakumari and belongs to 'Scheduled Caste' Community. As her father is a Railway Employee, she did her entire Schooling from Standard I to XII outside Tamil Nadu. She appeared for NEET Examination 2018, as a native of Tamil Nadu and scored 169 marks. The grievance of the Petitioner is that her name was not included in the list of eligible candidates for MBBS Counselling and on enquiry, she was informed that her Communication Address was that of Chennai, while the address in her Aadhar Card is that of Karnataka, which has become a criteria for disqualification.

3. It is the contention of the Petitioner that 'Communication Address' would only mean the place of communication and cannot be interpreted in any other manner, more so to disqualify her on such basis from participating in the Counselling under the Tamil Nadu State Quota.

4. Heard the learned counsel for the parties and perused the material documents available on record.

5. Admittedly, the Petitioner did her entire Schooling outside Tamil Nadu and her Aadhar Card shows her residential address as Karnataka. Hence, the Petitioner cannot be treated as a candidate hailing from Tamil Nadu, though she claims to be a native of Kanyakumari. As the Petitioner has not fulfilled any of the conditions stipulated under Clause 3 of the Prospectus for MBBS Course for the year 2018-19, she is not eligible to be considered for MBBS Counselling.

Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected W.M.P.No.19831 of 2018 is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Principal Secretary,
Government of Tamil Nadu,
Health Department,
Secretariat, Chennai - 9.
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+1cc to Mr.G.NAGARAJAN, Advocate, S.R.No. 46915

Order in
W.P.No.16631 of 2018

TR(01/08/2018)

सत्यमेव जयते

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