

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2018

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.17242 of 2018

(Minor) Meti Raghava Rajasree Yadav
rep. by her father and natural guardian
Murali ... Petitioner

Vs

1. The Secretary,
Higher Education of Tamil Nadu,
St.George Fort,
Chennai.
 2. The Director of Medical Education,
Poonamallee High Road,
Kilpauk,
Chennai- 600 010.
 3. The Secretary,
The Selection Committee
of Medical Examination
Chennai-600 010.
 - 4.The Medical Council of India,
Pocket-14, Sector-8, Dwaraka Phase 1,
New Delhi-110 077
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to include the petitioner daughter's name (Minor) Meti Raghava Rajasree Yadav in the provisional rank list immediately and consequently direct the respondent to call for the petitioner's daughter and allow the petitioner's daughter to participate in medical counselling.

For Petitioner : Ms.G.Janaki
For Respondents : Mr.C.Munusamy (R1 to R3)
Special Government Pleader
Assisted by Mr.A.Rajaperumal,
Additional Government Pleader
Mr.V.P.Raman (R4)

O R D E R

Heard the learned counsel for the petitioner and the learned Special Government Pleader, who took notice for the respondents and with their consent, this Writ Petition is taken up for final hearing at the stage of admission itself.

2. The minor petitioner has come forward with this writ petition, seeking for a direction to the respondent to include her name in the provisional rank list immediately and consequently direct the respondent to call her and allow her to participate in medical counselling.

3. According to the minor petitioner, she has completed her Higher Secondary Education in Andhra Pradesh and attended the National Eligibility Cum Entrance Test (NEET) for admission to MBBS course and scored 87.8%. She applied for MBBS course to the third respondent on 18.06.2018. But, in the merit list published by the second respondent on 28.06.2018, the petitioner's name was not found and when her father approached the concerned authority, they informed him that the petitioner is not eligible for admission as she had studied in different State. Hence, the petitioner has come up with this Writ Petition seeking for the aforesaid relief.

4. The learned counsel for the petitioner submitted that National Eligibility cum Entrance Test (NEET) was conducted to get admission in any college all over our nation and rejecting the petitioner's candidature for the reason that she did her schooling in a different State is unlawful, thereby infringing her right to Education under Article 21A and Right to Equality under Article 14 of Constitution of India. He would further submit that the first round of counselling is already over and the petitioner may be permitted to participate in the second round of counselling.

5. The learned Special Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent submitted that the case of the petitioner would be considered for participation in the second round of counselling, provided she fulfills all the norms, which are prescribed in the Prospectus.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, this Writ Petition is disposed of with a direction to the respondents to permit the petitioner to

participate in the second round of counselling, provided she fulfills all the norms, which are prescribed in the Prospectus. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Higher Education of Tamil Nadu,
St.George Fort,
Chennai.
2. The Director of Medical Education,
Poonamallee High Road,
Kilpauk,
Chennai- 600 010.
3. The Secretary,
The Selection Committee
of Medical Examination
Chennai-600 010.

+1cc to Mr.V.Pavel, Advocate, S.R.No.47682
+1cc to the Government Pleader, S.R.No.48484

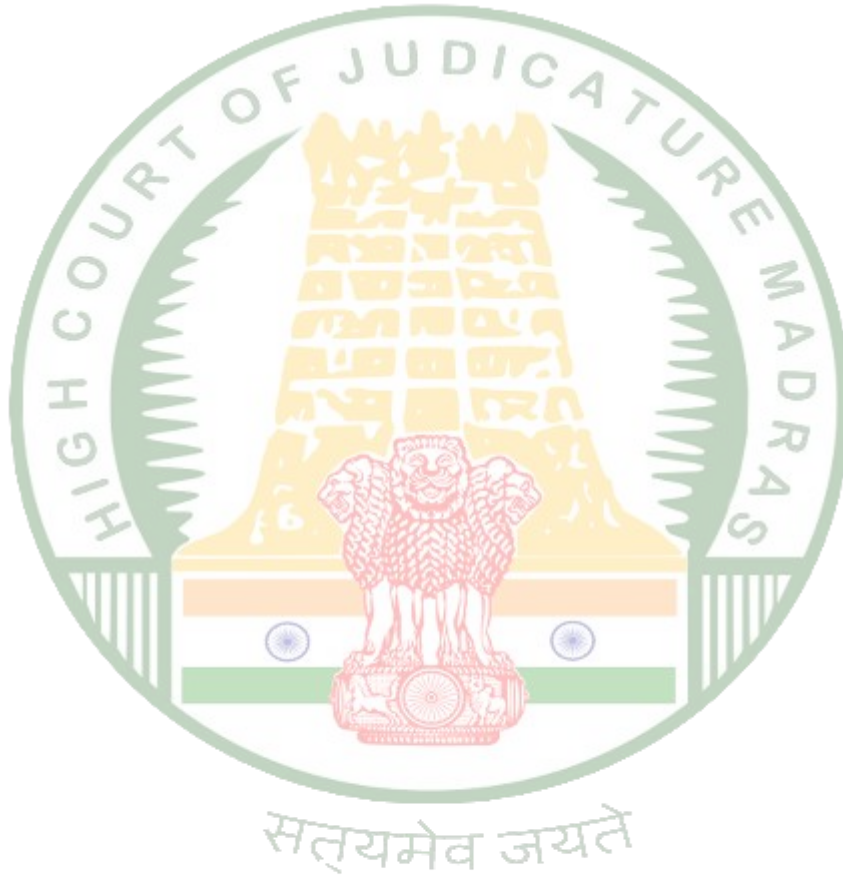
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SMI/03.08.2018

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