

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 31.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.19568 of 2018
and W.M.P.No.23038 of 2018

Maha Subhiksha Arumugam

...Petitioner

Versus

1. The Secretary,
Medical Admissions Committee,
Directorate of Medical Education,
Kilpauk,
Chennai

2. The Chairman,
The Medical Council of India,
Pocket 14, Sector 8,
Dwaraka Phase-I,
New Delhi - 110 077

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the first respondent to alter the Mother Tongue of the Petitioner as 'Telugu' in the Application of the Petitioner in AR Number 52561 and consequently consider her in the Linguistic minority category in the counselling to be held on 31.07.2018 for the MBBS Admissions under the Management Quota for the year 2018-19.

For Petitioner : Mr.P.Srinivas

For R1 : Mrs.V.Annalakshmi,
Government Advocate

ORDER

Mrs.V.Annalakshmi, learned Government Advocate takes notice for the respondents 1, 2.

2. The grievance of the petitioner in this writ petition is that the petitioner though belongs to Telugu Chettiar community, an MBC category but while applying for MBBS admission under the management quota for the year 2018-19, she by inadvertence mentioned her mother tongue to be Tamil and as such denied selection against the seat reserved for Telugu linguistic minority. Hence she came to file the writ petition seeking a

direction to the respondents No.1 and 2 to alter the mother tongue of the petitioner and consequently permit her to attend the counselling under Telugu speaking minority category.

3. The learned counsel for the petitioner would submit though the mother tongue of the petitioner is Telugu due to inadvertence she has wrongly mentioned as Tamil and since the petitioner has been considered under the open category, she has not been permitted to attend the counselling. Hence, the petitioner has filed this writ petition seeking a writ of mandamus directing the respondents to allow the petitioner to alter her mother tongue to Telugu and allow the petitioner to participate in the counselling.

4. The learned Government Advocate would submit that based on the particulars given in the application only the applicants are allowed to participate in the counselling, since the petitioner has mentioned her mother tongue as Tamil and as such the petitioner is not entitled to change her mother tongue so as to attend the counselling and as such the writ petition is liable to be dismissed.

5. Be that as it may, since the petitioner from the very beginning has not indicated in the application form that his mother tongue is Telugu, at this stage when the counselling has been proposed to be conducted today i.e. 31.07.2018, I am of the view that the petitioner has not made out any case for being considered in the Telugu minority category. Hence, this Court is not inclined to entertain the writ petition and accordingly dismiss the same at the stage of admission itself.

6. However, the same shall not be a bar to the petitioner to appear in any subsequent entrance examination as Telugu minority category inasmuch as it is the case of the petitioner that she had made the aforesaid mistake by inadvertence. But the same shall not be treated as a mandate of this Court to allow her to appear in subsequent examination in that category, as that is subject to the petitioner eligibility in that category. Consequently, connected miscellaneous petition is closed. However, in the circumstances there shall be no order as to costs.

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Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Medical Admissions Committee,
Directorate of Medical Education,
Kilpauk,
Chennai

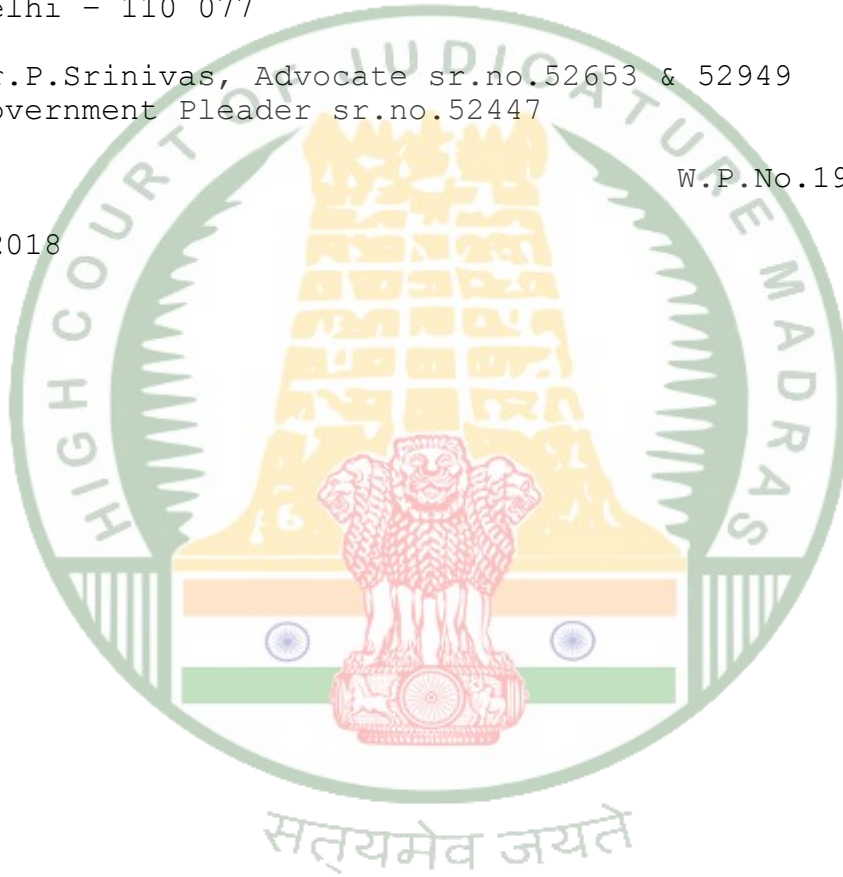
2. The Chairman,
The Medical Council of India,
Pocket 14, Sector 8,
Dwaraka Phase-I,
New Delhi - 110 077

+2cc to Mr.P.Srinivas, Advocate sr.no.52653 & 52949

+1cc to Government Pleader sr.no.52447

W.P.No.19568 of 2018

nr 27/08/2018



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