

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2019

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI, J.

W.P.No.21913 of 2019
W.M.P.Nos.21137 & 21138 of 2019

Ms.M.Mouna Ramaya Lasya

...Petitioner

vs

1. The Government of Tamil Nadu
rep.by its Secretary
Department of Higher Education,
Fort St.George,
Chennai-600 009.
2. The Secretary,
Selection Committee
Directorate of Medical Education,
162, Periyar E.V.R.High Road,
Kilpauk,
Chennai-600 010.
3. Medical Council of India,
Pocket 14, Sector-8,
Dwaraka,
New Delhi-110 077.
4. The Director of Medical Education,
No.162, Periyar E.V.R.High Road,
Kilpauk,
Chennai-600 010.
5. The Tamil Nadu Dr.M.G.R.Medical University,
No.69, Anna Salai,
Guindy,
Chennai-600 032.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to restore the original caste category of the petitioner as BC and allot the medical seat under Government

Category as may be eligible by the petitioner with Rank 1820 as mentioned in the Call Letter.

For Petitioner : Mr.G.Revathy
for M/s.Mothilal

For Respondents : Mrs.A.Rajalakshmi,
Additional Government Pleader for R5.
Mr.Suresh Kumar
for R1 and R4.
Mr.Abdul Saleem for
Selection committee for R2.

O R D E R

The writ petition has been filed for issuance of a writ of Mandamus, to direct the respondents to restore the original caste category of the petitioner as BC and allot a medical seat under Government Category.

2. The case of the petitioner is that she scored high marks in the Higher Secondary Examination and thereafter, she applied for NEET exam, that application number is 5867 of NEET(UG) Test-2019 and she scored 454 marks out of 720 with All India Rank 80412 and category Rank as 34490 as per the Score card issued by NEET. The petitioner has received a call letter for counseling on 11.07.2019 at 9.00 A.M., for Admission of MBBS/BDS (2019-2020) Session. The respondent board has considered the petitioner only under Open Category because she has not produced the Parent Community Certificate, at the relevant time of counseling. Aggrieved by the same, the present writ petition is filed.

3. The learned counsel for the petitioner would submit that she has not produced the Parent Community Certificate at the time of counseling. The petitioner belongs to backward community and that she is ready and willing to produce the parent Community Certificate at the next counseling.

4. The learned counsel for the respondents would submit that the candidate has not produced the Parent Community Certificate at the time of Counseling. As per Clause 5(B), if the candidates do not submit the relevant certificates, then the candidates would be considered only under Open Category. The learned counsel for the respondents further stated that subsequent counseling would be announced on 29.07.2019. At that time, the petitioner could produce the Parent Community Certificate and then, admission would be provided to the petitioner, as per the eligibility.

5. In view of the above, this Court is inclined to issue a direction to the petitioner that she shall appear before the next counseling, that would be announced on 29.07.2019. If the petitioner produces the Parent Community Certificate at the next counseling, she should be treated as a Candidate belonging to the backward community and seat shall be provided in favour of the petitioner, as per the Rules and availability of seats.

6. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssb

To

1. The Government of Tamil Nadu
rep.by its Secretary
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Secretary,
Selection Committee
Directorate of Medical Education,
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No.69, Anna Salai, Guindy, Chennai-600 032.

+1cc to Mr.Mothilal & Goda, Advocate, S.R.No.64079

+1cc to M/s.Rajalakshmi, Advocate, S.R.No.64092

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NRL (CO)

RRS (26/07/2019)