

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.24140 of 2019

Minor.Rachal S.V.,
represented by her next friend/
Natural guardian/father
Mr.Vinayagamourty
S/o.Shanmugam ...Petitioner

Vs

- 1.The District Collector,
Department of Revenue and
Disaster Management,
Taluk Office, Puducherry.
- 2.The Tahsildar,
Oulgaret Taluk,
Puducherry.
- 3.The Government of Puducherry
Centralised Admission Committee (CENTAC)
represented by its Co-ordinator (Admission),
At Pondicherry Engineering College Campus,
Puducherry - 605 014. ... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 1 and 2 to conduct enquiry pursuant to the representation dated 08.08.2019 given by the petitioner and submit the enquiry report regarding the re-verification of community status of the petitioner to the third respondent within a stipulated time regarding NEET based UG Medical Course - MBBS in Pondicherry Institute of Medical Sciences, Puducherry.

For Petitioner : Mr.N.S.Siva Kumar

For Respondents: Mr.Stalin Abhimanyu
Government Advocate (P)

O R D E R

[Order was made by R.SUBBIAH, J]

Petitioner has filed the above Writ Petition praying for issuance of a Writ of Mandamus directing respondents 1 and 2 to conduct enquiry pursuant to the representation dated 08.08.2019 given by the petitioner and submit the enquiry report regarding the re-verification of community status of the petitioner to the third respondent within a stipulated time regarding NEET based UG Medical Course - MBBS in Pondicherry Institute of Medical Sciences, Puducherry.

2. Heard learned counsel for petitioner and learned Government Advocate (P) for respondents.

3. Though very many contentions have been raised in the Writ Petition, we are dealing with limited facts which are necessary for disposal of this Writ Petition. Petitioner's daughter got provisional selection for MBBS course under NEET examination for the Academic Year 2019-2020 in Pondicherry Institute of Medical Sciences, Puducherry. Petitioner's daughter obtained 208 marks in the NEET examination. As per the provisional allotment letter issued by third respondent dated 27.07.2019, she stood in Sl.No.54. However, petitioner's daughter's name has been kept pending for want of certain verification regarding community status. The Village Administrative Officer, Saram, Oulgret Taluk, visited the petitioner's residence and conducted field verification on 01.08.2019. Thereafter, the Deputy Tahsildar, Oulgaret, accompanied by subordinates visited petitioner's residence on 08.08.2019 at 11.30 a.m., conducted search without prior notice. Petitioner has given a representation dated 08.08.2019 to respondents 1 and 2 towards completion of verification process at the earliest. But, no action has been taken on the said representation till date. However, on 09.08.2019, third respondent has issued second Draft Allotment list, in which petitioner's daughter's name was removed stating 'SC-1 seat is withheld pending re-verification of claim by the Revenue Department'. This has been done only to allot the seat to some one. Hence, petitioner has approached this Court seeking the aforesaid relief.

4. When the matter came up for hearing on 19.08.2019, learned Government Advocate (Pondicherry), sought time to get instructions. Today, learned Government Advocate (P) submitted that enquiry on petitioner's representation is in process and orders would be passed within a period of two weeks. The said submission is recorded.

5. In view of the submissions made by learned Government Advocate (P), this Court directs the first respondent to conduct enquiry on the petitioner's representation dated 08.08.2019 and pass orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order and forthwith, send the report to third respondent. Till such time, third respondent is directed to keep one seat vacant in UG Medical Course - MBBS in Pondicherry Institute of Medical Sciences, Puducherry.

The Writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The District Collector,
Department of Revenue and Disaster Management,
Taluk Office, Puducherry.
- 2.The Tahsildar,
Oulgaret Taluk,
Puducherry.
- 3.The Co-ordinator (Admission),
Government of Puducherry
Centralised Admission Committee (CENTAC)
At Pondicherry Engineering College Campus,
Puducherry - 605 014.

+1cc to Mr.N.S.Siva Kumar, Advocate sr.71328
+1cc to Government Pleader sr.71607

Writ Petition No.24140 of 2019

bs(co)
nr 03/09/2019