

N THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.10.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.14544 of 2020

Minor Balakumaran

rep. By his father and natural guardian

... Petitioner

Vs.

1. Ministry of Human Resources Development,
No.26/6, Shastri Bhavan,
Greaves Road, Chennai.
2. National Testing Agency,
Block C-20 1A/8, Sector 62,
IITKK Outreach Centre, Gautum Buddh Nagar,
Noida, U.P.
3. National Institute of Technology,
Tanjore Main Road, NH-67, Near BHEL,
Trichy, Tamil Nadu.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation sent through e-mail dated 25.09.2020 and accordingly, consider the JEE application of the petitioner bearing No.2003 1055 4488 under other backward class category and publish the revised rank list for the admission.

For Petitioner : Mr.A.Asif Basha

For Respondents : Mr.Subbu Ranga Bharathi – R1

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the petitioner under the OBC category and publish the revised rank list for admission into the IIT Course.

2. The petitioner had applied for the JEE Examination through online and the petitioner Specifically mentioned that he has participated under the "General Category". The petitioner took the first examination during January-2020. The petitioner submitted an online application during March-2020 and even in that application, the petitioner specifically mentioned that he is participating under the general category. The petitioner also took the examination during April-2020.

3. The petitioner received a score card and he was not able to come within the cut off mark under the general category. The petitioner thereafter, got a community certificate during August-2020 that he belongs to OBC Category. The petitioner made a representation to consider him under the said category since according to the petitioner the marks scored by him was well within the cut off marks stipulated for OBC candidates. It is seen from records that the second respondent has rejected the request made by the petitioner by communication dated 25.09.2020. Aggrieved by the same, the

present Writ Petition has been filed before this Court.

4. Heard Mr.A.Asif Basha, learned counsel for the petitioner and Mr.Subbu Ranga Bharathi, learned counsel for the first respondent.

5. In the considered view of this Court, the petitioner is not entitled to seek for consideration of his candidature under the OBC category. The petitioner has applied for the examination twice and on both occasions he has specifically applied under the general category. By getting a community certificate later during August-2020, the petitioner cannot ask the respondents to revise the entire rank list by bringing the petitioner within the OBC category. Such claim made by the petitioner is totally unsustainable and the same cannot be accepted.

6. This Court does not find any merit in this writ petition and the same is dismissed accordingly. No costs.

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09.10.2020

Internet;Yes/No
Index:yes/No
rli

To

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rli



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