

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.16725 of 2020
and
W.M.P.No.20743 of 2020

J.B.Berlin Suja, F/18,
Daughter of M.Johnson,
No.18/223, Kaithakattuvilai,
Irenipuram Post,
Kanyakumari District - 629 162. Petitioner

Vs.

1.The Director (National Eligibility cum Entrance Test),
Central Board of Secondary Education,
Shiksha Kendra,
2, Community Centre,
Preet Vihar, Delhi 110 092.

2.The Public Information Officer - Deputy Secretary,

(National Eligibility cum Entrance Test),
Central Board of Secondary Education,
Shiksha Kendra,
2, Community Centre,
Preet Vihar, Delhi 110 092.

3.The Senior Director,
National Testing Agency,
Block C-20, 1A/8, Sector 62,
IITK Outreach Centre,
Gautam Bddh Nagar,
Noida - 201 309,
Uttar Pradesh.

4.The Selection Committee,
Directorate of Medication Education,
162, Periyar E.V.R.High Road,
Kilpauk, Chennai 600 010.

5.National Medical Commission,
Pocket 14, Section 8,
Dwarka, Phase 1,
New Delhi 110 077.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 and 2 to issue the Optical Mark Recognition (OMR) Answer Sheet pertaining to the petitioner roll number 4107005405 and application number 200410232161 and consequently direct the respondents 1 to 3 to re-assess the petitioner's OMR and award marks based on the relevant key issued by the 3rd respondent and direct the 4th respondent to rank the petitioner's name based on the newly awarded marks for the admission MBBS degree courses for the years 2020-2021 within the time limit stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents: Mr.G.Nagrajan (for R1 to R3)

Standing counsel

Mr.Abdul Saleem (for R4)

Standing counsel

Mr.V.P.Raman, (for R5)

Standing counsel

ORDER

Even when the matter came up for hearing on 07.12.2020, this Court was not inclined to grant the relief sought for by the petitioner. However, the learned counsel for the petitioner was insisting that the petitioner along with her parents want to verify the original records by going to the office of the third respondent. This Court in order to give an opportunity, took pains to write an order on 07.12.2020 by giving appropriate directions to the third respondent. The learned standing counsel appearing on behalf of the third respondent was also requested to inform the third respondent in advance and keep some official ready to attend to the petitioner and her parents and show them the original records. Considering the urgency, the order copy was also furnished on 08.12.2020.

2.When the matter was called for hearing today, the learned counsel for the petitioner makes a statement that the petitioner was not able to go over to Delhi because of some ailment. The learned Standing Counsel appearing on behalf of the third respondent submitted that all arrangements were made by assigning an Officer to show the original records to the petitioner and her parents on 14.12.2020 and the petitioner did

not turn up on that day. Since there was absolutely no communication on the part of the petitioner, the learned Standing Counsel had to get in touch with the counsel for the petitioner and only thereafter, the learned Standing Counsel was informed that the petitioner has not gone to meet the third respondent.

3.It is unfortunate that the petitioner took the time of this Court and also wasted the time of the third respondent and did not even bother to inform the third respondent or the Standing Counsel that the petitioner will not be able to meet the third respondent on 14.12.2020. This attitude of the petitioner is reprehensible and the petitioner does not deserve any sympathy of this Court and accordingly, the present Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sai/pgp

To

1.The Director (National Eligibility cum Entrance Test),
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2, Community Centre,
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2.The Public Information Officer - Deputy Secretary,

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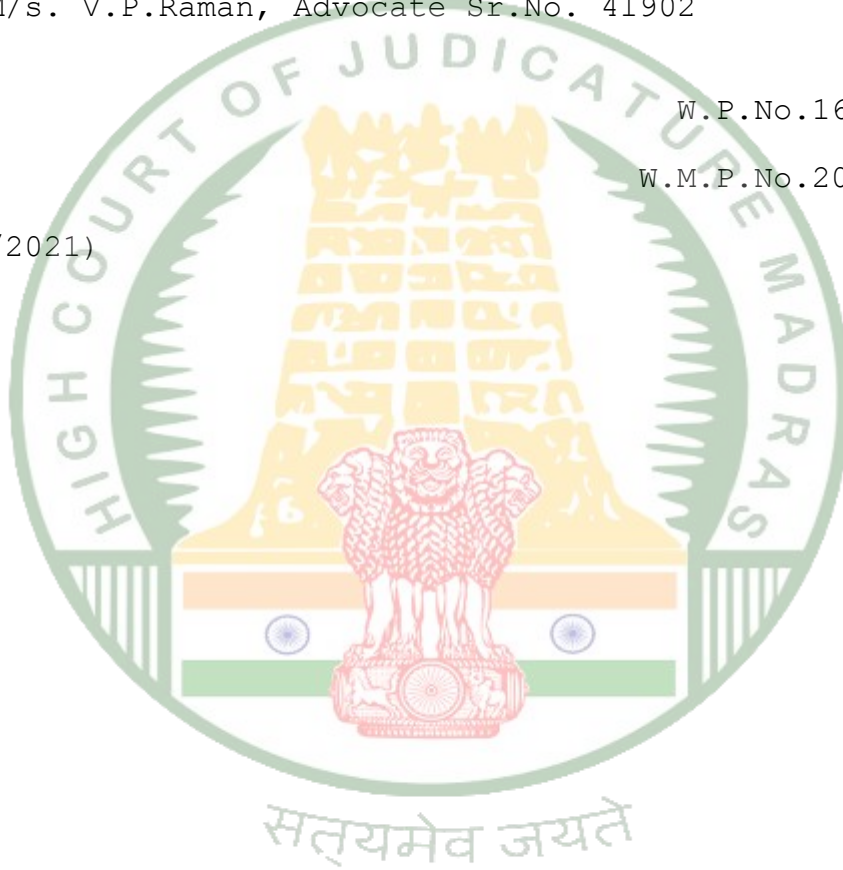
4.The Selection Committee,
Directorate of Medication Education,
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5.National Medical Commission,
Pocket 14, Section 8,
Dwarka, Phase 1,
New Delhi 110 077.

+1 cc to M/s.G.Thalaimutharasu, Advocate Sr.No. 41432
+1 cc to M/s. V.P.Raman, Advocate Sr.No. 41902

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and
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SSI (CO)
RMP (22/01/2021)



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