

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17649 of 2020

V.Imaya,
D/o.L.Vijayakumar,
2/41, Kammalapatti Village,
K.Chettihalli Post,
Palacode,
Dharmapuri District - 636 809
Rep. by her father and natural guardian
L.Vijayakumar
Son of Loganathan. Petitioner

Vs.

1.The Secretary to Govt.
Health and Family Welfare Department,
Secretariat,
Chenani 600009.

2.The Director of Medical Education,
Directorate of Medical Education,
Poonamallee High Road,
Kilpauk, Chennai 600010.

3.The Chairman,
Selection Committee,
Directorate of Medical Education,
Poonamallee High Road,
Kilpauk, Chennai 600010.

4.The District Educational Officer,
Dharmapuri,
District Educational Office,
Dharmapuri District. Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 4th respondent to issue bonafide certificate to the petitioner and consequently direct the respondent 2 and 3 to allot one seat to the petitioner having Roll No.4109020166 in NEET UG 2020, in MBBS course admission for the year 2020, under the 7.5% quota provided by the Government Tamil Nadu for the candidates who have studied in Government Schools.

For Petitioner : Mr.R.Ramesh Raja

For Respondents: Mr.Munusamy
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the fourth respondent to issue bonafide certificate to the petitioner, in order to enable the petitioner to participate in the selection to the MBBS course under the 7.5% quota provided for the students who have studied in the Government Schools.

2.Heard Mr.R.Ramesh Raja, learned counsel appearing for the petitioner and Mr.Munusamy, learned Special Government Pleader appearing for the respondents.

3.The Government Order specifically provides that a person in order to be considered under the 7.5% quota must have studied from 6th std to 12th std in a State Government School. In the present case, the petitioner had undergone her 11th std in a private school and the same is clear from the transfer certificate that was issued by the private school. It is also seen that the 11th standard mark list was also issued by the private school called as the Jai Sakthi Matriculation Higher Secondary School. The petitioner is claiming for a privilege and therefore, the petitioner has to necessarily satisfy all the requirements, failing which, the privilege cannot be claimed.

4.In view of the above, this Court finds that the petitioner is not entitled to participate in the selection under the 7.5% quota and this Court is not able to grant the relief claimed by the petitioner and accordingly, this Writ Petition is dismissed. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

sai/pgp

To

1.The Secretary to Govt.
Health and Family Welfare Department,
Secretariat,
Chenani 600009.

2.The Director of Medical Education,
Directorate of Medical Education,
Poonamallee High Road,
Kilpauk, Chennai 600010.

3.The Chairman,
Selection Committee,
Directorate of Medical Education,
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4.The District Educational Officer,
Dharmapuri,
District Educational Office,
Dharmapuri District.

+1 Cc to The Government Pleader sr 40413.

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GP(CO)
SP(18/01/2021)



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