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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.9328 of 2021

and

WMP.No.9915 of 2021

G.Yogandhar

.. Petitioner

vs.

1. The Director of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-600 010.

2. The Secretary,
Selection Committee for MBBS/BDS
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-600 010.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to admit the petitioner in MBBS course for 2020-2021 under Sports Quota.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.M.Vijay Mehnath
Government Advocate for R1, R2

O R D E R

The case of the petitioner is that he has completed Higher Secondary in the year 2017 and secured 962 marks and applied for admission to MBBS Course for the year 2020-2021 under Sports



Quota and also attended NEET examination and secured 197 marks. According to the petitioner, the selection of candidates for Sports Quo is on the basis of the specialization in concerned game and though he was awarded bronze medal in Boxing in State Level Championship, he was not selected for the first year MBBS course for the academic year 2020-21. Thereafter, the petitioner has approached the Sports Development Authority seeking for information and came to know that he was not selected under Sports Quota and therefore, he has filed the present writ petition.

2. The second respondent has filed a counter affidavit and denied the averments made in the writ petition. It is the stand of the second respondent that the petitioner has not even challenged the select list and the respondent has prepared the ranking list based on the terms and conditions of the prospectus and as per Clause 19 of the prospectus, the ranking list was finalized by the Common Committee constituted for such purpose and the Sports Quota Rank List will be furnished by the Common Committee to the Selection Commission and the decision of the Common Committee will be final. It is further stated in the counter affidavit that candidates who have secured marks from 785 to 600 have been allotted MBBS Seats under Sports Quota and whereas the petitioner has got Bronze in State Championship which was held during January 2020 and the Sports Development



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Authority of Tamil Nadu has granted 65 marks for the same and he was ranked 134 in the select list forwarded by the Committee and as such, he was not under the zone of consideration for admission to MBBS. The second respondent would further contend that the Common Committee ranks the candidate based on the marks for sports achievements alone and as such, the contention of the petitioner that candidate with less marks in NEET has been admitted in MBBS course does not hold hood and as such, the writ petition is liable to be dismissed.

3. This Court has considered the rival submissions and also perused the materials available on record.

4. The prospectus for admission to MBBS / BDS courses for the academic year 2020-2021 was issued on 03.11.2020 and the last date for submission of online application was 12.11.2020 and the petitioner has also submitted application for admission to MBBS course under Sports Quota. The application of the petitioner along with other applications under Sports Quota was examined by the Common Committee constituted as per Clause 19 of the Prospectus and the petitioner was ranked in Sl.No.134 in the rank list forwarded by the Common Committee and therefore, his name was not considered for selection for MBBS admission for the academic year 2020-21. As rightly pointed out by the learned



counsel for the respondent, the petitioner has participated in the selection process by submitting the application and accepting the terms and conditions of the prospectus by way of declaration form. The Selection Committee has finalized the selection of the candidates for admission to First Year MBBS course based on the ranking list forwarded by the Common Committee. The last date for admission fixed by the department is 15.02.2021 and the petitioner has approached this Court belatedly, nearly after three months after the entire selection process is over. Further the petitioner has not challenged the select list prepared by the Selection Committee in the present writ petition and on the aforesaid lapses, the prayer sought for by the petitioner cannot be granted. This Court finds no merit in this writ petition and consequently, deserves dismissal.

5. In view of the reason stated above, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jvm



To

1. The Director of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-600 010.

2. The Secretary,
Selection Committee for MBBS/BDS
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-600 010.

+1cc to M/S.C.S.Associates, S.R.No.28995

W.P.No.9328 of 2021

PL (CO)
SU (19/07/2021)