



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.17327 of 2020
and WMP.No.21439 of 2020
& WMP.No.8692 of 2021

Selvi R.S.Priya

... Petitioner

vs.

1. The Controller of Examinations,
MGR Medical University,
Guindy, Chennai-600 032.

2. The Principal,
Adi Parasakthi Dental College,
Melmaruvathur,

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to issue Hall Ticket to the petitioner to write the BDS Final Year Examinations in the Centre of Second Respondent College from 24.11.2020.

For Petitioner : Mr.R.Sankarasubbu
For Respondents : Mr.S.Wilson for R1
Mr.A.S.Balaji for R2

O R D E R

The petitioner belongs to Hindu "Malakuravan" Community, which is a Scheduled Tribe Community and at the time of admission to BDS Course in the second respondent College, the petitioner did not produce the Community Certificate and in pursuant to the order passed by this Court in W.P.No.19306 of 2016 dated 07.06.2016, the petitioner was admitted in the first year BDS Course and she continued her studies in the second respondent college and appeared for the final year examination conducted by the first respondent University during November, 2020 and however, the first respondent University did not issue Hall Ticket to the petitioner to write the BDS final year examination and therefore, she has filed the present writ petition.

2. At the time of filing the writ petition, the State Level Scrutiny Committee has recognized the community status of the petitioner as Hindu "Malakuravan" Community which is a Scheduled



Tribe Community and based on the aforesaid order passed by the State Level Scrutiny Committee, the petitioner was permitted to appear for the final year BDS Examination commencing from 21.11.2020 and in view of the interim order passed in this writ petition dated 23.11.2020, the results have not been published.

3. Mr.R.Sankarasubbu, learned counsel for the petitioner would submit that the petitioner has also filed W.P.No.4885 of 2021 and vide order dated 09.03.2021, a Division Bench of this Court has directed the Revenue Divisional Officer, Kallakurichi to consider the petitioner's representations/applications for issuance of Community Certificate within a period of eight weeks and as on date, no order has been passed by the Revenue Divisional Officer, Kallakurichi and as such, there is no legal impediment for the first respondent University to publish the results of the petitioner.

4. Mr.A.S.Balaji, learned Standing Counsel for the second respondent college would submit that as per the terms and conditions of the selection order, writ petitioner has to produce the original Community Certificate to the second respondent college and so far the said Community Certificate has not been produced.

5. In view of the above submissions and in the light of the order passed by the State Level Scrutiny Committee, this Court is of the view that there is no legal embargo for the first respondent University to publish the results of the petitioner's final year BDS examination held during November 2020. Accordingly, this Court directs the first respondent University to publish the results of the petitioner's final year BDS examination held during November 2020, within a period of two weeks from the date of receipt of a copy of this order. Insofar the production of Community Certificate is concerned, it is made clear that the petitioner may produce the said Community Certificate in the event of receiving from the Revenue Divisional Officer, Kallakurichi District.

6. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Jvm



To

1. The Controller of Examinations,
MGR Medical University,
Guindy, Chennai-600 032.

WEB COPY

2. The Principal,
Adi Parasakthi Dental College,
Melmaruvathur,

+1CC to Mr.S.Wilson, Advocate, Sr.No.33137/21

W.P.No.17327 of 2020

JPL (CO)
K.RK. (09.08.2021)