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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.25152 of 2021

and

W.M.P.No.26524 of 2021

P. Swetha

.....Petitioner

Vs

1. The Director General-NTA,
IITK Outreach Centre,
C.20 1A/8 Sector 62,
Noida-201309.
2. The Director General of Health Service,
Medical Counselling Committee,
Nirman Bhawan, Maulana Azad Road,
New Delhi 110011.
3. The Chairman,
Medical Selection Committee,
914, P.H.Road, Amaravathi Nagar,
Arumbakkam,
Chennai-600 106.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to produce the original OMR answer sheet which was uploaded in the website upto 14.11.2021 and award marks 690/720 before this Court and to revalue the answer sheets based on the answer key provided and issue a fresh score card and pass order.

For petitioner : Mr. S. Vijayakumar

For Respondents : Mrs. Sunitha Kumari

ORDER

The petitioner has filed this Writ petition seeking issuance of to issue a Writ of Mandamus directing the first respondent to produce the original OMR answer sheet which was uploaded in the website upto 14.11.2021 and award marks 690/720 before this Court and to revalue the answer sheets based on the



answer key provided and issue a fresh score card.

2. The case of the petitioner is that she enrolled herself for the NEET Examination through proper channel and participated in the said examination on 12.09.2021 conducted by the 1st Respondent and attended 174 questions correctly out of 180 questions. Thereafter, the result of the NEET Examination was published in the Website on 01.11.2021 wherein to her shock she was awarded only 480 marks out of 720 marks which was contrary to the answer sheet certified by the 1st respondent on the date of her written examination. On seeing the result, mails were sent to the 1st Respondent by the petitioner requesting to verify the scanned copy of the proof of her answers in the OMR sheet and also to rectify the errors committed in the score card to enable the petitioner to participate in the counselling to be held by the Respondents 2 & 3 for medical admission. However, till date no action has been taken on her communication. Hence, the present Writ Petition is filed seeking the above relief.

3. The learned counsel for the Petitioner submits that on the earlier occasion Writ Petition was filed before this Court in W.P.No.24126 of 2021 to direct the 1st Respondent to rectify the error occurred in the score card dated 01.11.2021 and the same was disposed of directing the 1st respondent to examine the matter and to pass orders. As a result of that the 1st Respondent sent a mail enclosing the Score Card, Calculation Sheet & OMR sheet to the petitioner however, the answer sheet sent by the 1st Respondent was different from the one uploaded by the petitioner at the time of her written Examination. Therefore, the learned counsel for the petitioner submits that to give quietus to the issue, this Court may issue direction to the 1st respondent to produce the original OMR sheet which was uploaded in the website by the petitioner.

4. Pursuant to the direction of this Court, the Original OMR sheet has been placed before this Court by the learned counsel for the respondents.

5. The petitioner was present in person and this Court placed the OMR sheet uploaded by the petitioner to find out whether the signature and thumb impression therein is that of the petitioner and the petitioner herself accepted her signature and thumb impression in the answer sheet produced before this Court.

6. In view of the fact, this Court is not inclined to grant any positive direction as sought for in the present petition. Hence, the prayer sought for by the petitioner cannot be acceded to. Accordingly, this Writ Petition is dismissed. No



costs. Consequently, the connected Miscellaneous petition is closed. However, the petitioner is at liberty to work out her remedy in the manner known to law.

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Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

NHS

To:

1. The Director General-NTA,
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Medical Selection Committee,
914, P.H.Road, Amaravathi Nagar,
Arumbakkam,
Chennai-600 106.

+lcc to Mr.S.Vijayakumar, Advocate, S.R.No.61869
+lcc to Ms.Sunita Kumari, Advocate, S.R.No.62057
+lcc to the Government Pleader, S.R.No.62219

W.P.NO.25152 of 2021
and
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SVI (CO)
SB(14/12/2021)