



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.26034 of 2021

Mr. Saajid Ahamed.S (Minor),
Rep by his mother and Natural Guardian,
Mrs. Sulthana Ameen.

...Petitioner

Vs

1.The Secretary,
Union of India,
Ministry of Education,
New Delhi-110001.

2.The Secretary,
Union of India,
Ministry of family and Welfare,
New Delhi-110001.

3.The Senior Director,
NEET (UG),
National Testing Agency,
C-20 IA/8, Sector 62, IITK Outreach Centre,
Noida-203109.

4.The Chairman,
National Commission,
Pocket-14, Sector-8, Dwaraka Phase-I,
New Delhi-110077,
India.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pass appropriate orders for the rectification of the category from General to OBC in the NEET (UG) 2021 Score card of SAJID AHMED.S, with application No.210410082 and Roll No.3701010142.



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For petitioner : Mr. A. Syed Kaleesha
For Respondents : M/s. R. Arthi for R1 & R2
: M/s. Sunitha kumari for R3.
: M/s. Subharayini Anandhi,
standing counsel for R4.

ORDER

The petitioner has filed this Writ Petition seeking issuance of Writ of Mandamus directing the 1st Respondent to consider the petitioner's representation dated 11.11.2021 for rectification of his category from the "General" to "OBC".

2. M/s. R. Arthi, learned counsel takes notice for R1 & R2, M/s. Sunitha Kumari, learned counsel takes notice for R3 & Ms. Subharayini, standing counsel takes notice for R4. In view of the limited relief sought for in this petition and on the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that he had participated in NEET Examination 2021 through proper channel in which the petitioner had scored 109 marks out of 720. However, in the score card, his category was wrongly mentioned as "General" instead of "OBC" at which time, the petitioner realized the mistake occurred while applying for the said Examination through online wherein, he inadvertently mentioned his category as "General" instead of "OBC". Further, the competent authority had also certified in the petitioner's community certificate that the petitioner comes under "OBC" category. Since, the petitioner wants to pursue his higher studies and for the purpose of availing eligibility certificate, he made a representation dated 11.11.2021 to the 1st Respondent for rectification of his category from "General" to "OBC", however, till date no action has been taken on the his representation. Hence the present Writ Petition is filed seeking the above relief.

4. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 11.11.2021 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned counsel appearing on behalf of the respondents has no serious objection on the said order being passed and submits that appropriate orders will be passed on the petitioner's representation within a particular time frame fixed by this Court.



6. In view of the aforesaid submissions, this Court issues direction to the 1st Respondent to consider the petitioner's representation dated 11.11.2021 and pass appropriate orders on the same in accordance with law within a period of four weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

NHS

To

- 1.The Secretary,
Union of India,
Ministry of Education,
New Delhi-110001.
- 2.The Secretary,
Union of India,
Ministry of family and Welfare,
New Delhi-110001.
- 3.The Senior Director,
NEET (UG),
National Testing Agency,
C-20 IA/8, Sector 62, IITK Outreach Centre,
Noida-203109.
- 4.The Chairman,
National Commission,
Pocket-14, Sector-8, Dwaraka Phase-I,
New Delhi-110077, India.

+1cc to M/s.S.P.Arthi, Advocate SR. No.65390

+1cc to Mrs.Sunithakumari, Advocate SR. No.65113

W.P.NO.26034 of 2021

VSNI (CO)

PR (10/01/2022)