



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.19941 of 2020

G.D.Rajasri Tigalya (Minor),
D/o.Dhakshinamoorthy,
Rep. by her mother & natural guardian,
Geetha Govindan.

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by its Principal Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2. The Secretary,
Selection Committee,
Directorate of Medical Education,
162, Periyar E.V.R. High Road,
Kilpauk, Chennai - 600 010.

3. The Director of Medical Education,
Directorate of Medical Education,
No.162, Periyar E.V.R. High Road,
Kilpauk, Chennai - 600 010.

... Respondents

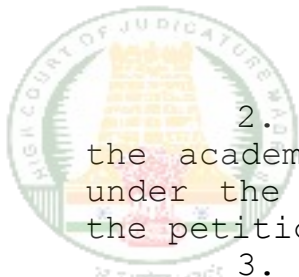
Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 18.12.2020 and consequentially direct the respondents to permit the petitioner to participate in the counselling for admission to MBBS degree courses under management quota in private medical colleges.

For Petitioner : Mr.T.Balakumaran

For Respondents : Mr.Sri Charan Rangarajan,
Additional Advocate General,
Assisted by,
Ms.J.Lakshmi Prasanna,
Government Advocate.

O R D E R

Heard, Mr.T.Balakumaran, learned counsel appearing for the petitioner and Mr.Sri Charan Rangarajan, learned Additional Advocate General appearing for the respondents.



2. The writ petitioner is an aspirant for medical seat for the academic year 2020-21. The petitioner wants to be considered under the management quota in private colleges. But unfortunately the petitioner did not submit any application in time.

3. It appears that the petitioner was hopeful of getting a seat under the Government quota itself. Therefore, she has come up with this writ petition.

4. The learned Additional Advocate General points out that if this Court accepts the request of the petitioner, it is bound to open floodgates. The petitioner ought to have applied in time. Having failed to do so, it is not open to the petitioner to come up with this request.

5. As contended by the learned Additional Advocate General, writ of mandamus can be issued only if a legal right exists in favour of the writ petitioner. No such right has been shown to exist. Therefore, I am not in a position to grant relief to the petitioner.

6. This writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (AS)

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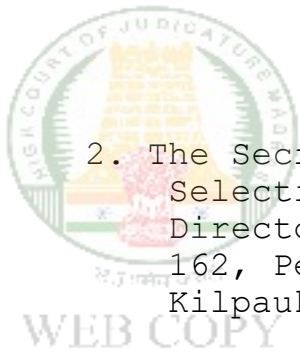
Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Principal Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.



2. The Secretary,
Selection Committee,
Directorate of Medical Education,
162, Periyar E.V.R. High Road,
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3. The Director of Medical Education,
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+1 CC to SGP (SR-67[F] dated 05/01/2021)

W.P. (MD) No.19941 of 2020

04.01.2021

SSS (CO)

NR (19/01/2020) 3P : 5C