



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.2286 of 2022

S.Malarkodi

... Petitioner

Vs

1. The Secretary,
Tamil Nadu Government,
Education Department,
Secretariat, Chennai - 600 009.
 2. The Director,
School Education Department in Tamil Nadu,
College Road, Chennai - 600 006.
 3. The Chief Education Officer,
Office of the Chief Education Officer,
Manjakuppam, Cuddalore - 1.
 4. The District Education Officer,
Office of the District Education Officer,
Manjakuppam, Cuddalore - 1.
 5. The Selection Committee,
Directorate of Medical Education,
Government of Tamil Nadu,
Kilpauk, Chennai - 600 010.
- (R5 suo motu impleaded vide order
dated 14.02.2022 made in W.P.No.2286/2022)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to implead petitioner's daughter name S.Jayanerthiya in the 7.5 percent reservation list as a Government school student and allotted a seat to Tamil Nadu Government Medical admission.

For Petitioner : Ms.D.Kalaiselvi

For Respondents : Mr.D.Ravichander
Special Government Pleader



ORDER

Read this order with conjunction with order dated 14.02.2022, that reads as follows:

WEB COPY

"Since the parties concur that the Selection Committee, Directorate of Medical Education, Government of Tamil Nadu, Kilpauk, Chennai-600010 is a proper and necessary party, it is impleaded suo motu as R5.

2. Mr.Abhishek Murthy, learned Government Advocate accepts notice for R1 to R4 and Mr.C.Jayaprakash, learned Government Advocate accepts notice for R5 and both learned counsel seek some time to obtain instructions and file a counter.

3. The petitioner relies on G.O.No.438 dated 29.10.2020, that provides for 7.5% of seats for MBBS/BDS courses on preferential basis to those who have been studying from 6 th to 12th standard in State Government Schools. The petitioner has, in the present case, studied in a private school between the 6 th and 10th standards and it is only in the 11 th standard that she has shifted to the Government School. She seeks benefits under the aforesaid G.O.

4. Learned counsel for the respondent submits that a Division Bench of this Court, in W.P.No.16375 of 2020, vide order dated 18.11.2020 has considered this issue, adverse to that petitioner, in an identical case.

5. List on 08.03.2022. Counter by then after service upon the petitioner."

2. The petitioner has no answer to the issues that have been identified in the above order and only recourse, if any, is to challenge the Government Order, which is not the scope of challenge in the present Writ Petition. In view of the aforesaid admitted position, there is no merit in the petitioner's claim.

3. This Writ Petition stands dismissed as above. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//



kak/jeni

To

1. The Secretary,
Tamil Nadu Government,
Education Department,
Secretariat, Chennai - 600 009.
2. The Director,
School Education Department in Tamil Nadu,
College Road, Chennai - 600 006.
3. The Chief Education Officer,
Office of the Chief Education Officer,
Manjakuppam, Cuddalore - 1.
4. The District Education Officer,
Office of the District Education Officer,
Manjakuppam, Cuddalore - 1.
5. The Selection Committee,
Directorate of Medical Education,
Government of Tamil Nadu,
Kilpauk, Chennai - 600 010.

+1cc to Mr.L.Kannan, Advocate SR. No. 23252

+1cc to Government Pleader SR. No. 23632

W.P.No.2286 of 2022

GPL (CO)

PR (28/04/2022)