



W.P.No.27198 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.27198 of 2022

J.Lavanya

.... Petitioner

-Vs-

- 1 The State of Tamil Nadu Rep.by its Secretary
Department of Health and Family Welfare
Fort St.George Chennai- 600 009.
- 2 The Director of Medical Education
College Road Chennai-600 006.
- 3 The Director
National Testing Agency C-20 1A/8 Sector
62 IITK Outreach Centre Noida-201309.
- 4 The Director
NEET Examination Shiksha Kendra 2
Community Centre Preet Vihar Delhi-110 092. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to furnish a copy of the answered OMR sheet of the petitioner bearing Roll No.4108010995 in NEET UG 2022 conducted on 17.07.2022 based on the representation dated 10.09.2022.



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For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.U.M.Ravichandran
Special Government Pleader – for RR 1 & 2

Ms.Sunita Kumari, Standing Counsel
- for RR 3 & 4

ORDER

2. The prayer sought for herein is for a Writ of Mandamus directing the respondents to furnish a copy of the answered OMR sheet of the petitioner bearing Roll No.4108010995 in NEET UG 2022 conducted on 17.07.2022 based on the representation dated 10.09.2022.

3. The petitioner was one of the candidates who had written the NEET UG Examination conducted on 17.07.2022 by the third respondent viz., National Testing Agency (NTA) and her Roll No.is 4108010995, the results of which have been published. Since the petitioner has got some apprehension about the marks awarded to her, she wanted to verify the original OMR answer sheet and therefore, in order to get the same the petitioner has given a representation on 10.09.2022 to the respondents and since no orders have been passed, the petitioner has moved this writ petition.

4. Heard Mr.C.Prabakaran, learned counsel for the petitioner,



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Mr.U.M.Ravichandran, learned Special Government Pleader for the respondents 1 and 2 and Ms.Sunita Kumari, learned Standing Counsel for the respondents 3 and 4.

5. Learned Standing Counsel for NTA on instructions would submit that, all the OMR answer sheets of all the candidates have been uploaded in the website, which could be downloaded and verified. That apart, the said documents have been forwarded through email also to each of the candidate. Apart from this, suppose the petitioner wants to verify the original OMR answer sheet, that can be made available to the petitioner only if the petitioner is ready and willing to visit New Delhi at her own costs.

6. In this context, the learned Standing Counsel has also relied upon the order passed by this Court dated 27.09.2022 in W.P.No.26149 of 2022 in the matter of **P.Chrisma Victoriya -Vs- State of India and Others**. In the said order dated 27.09.2022 relied upon by the learned Standing Counsel, this Court passed the following order.

" 6. Having regard to the above submissions, this Court is inclined to dispose of this writ petition with the following order.



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- *That there shall be a direction to the second respondent to fix a date for the presence of the petitioner along with her father/guardian to visit the office of the second respondent at Noida within a period of ten (10) days from today and the date so fixed should be intimated in advance to the petitioner by sending an e-mail. That apart it may also be communicated through the learned Standing Counsel for the second respondent to the learned counsel for the petitioner also.*
- *On the date to be fixed and intimated by the second respondent, it is open to the petitioner along with her father / guardian to travel to the second respondent office, where, on the date and time to be fixed in this regard as indicated above, the second respondent would show the original OMR answer sheet to the petitioner, who can peruse the same."*

7. Since the petitioner is also similarly placed, and the learned counsel for the petitioner, on instructions would submit that, the petitioner is ready and willing to go to New Delhi to the office of the NTA on the date to be fixed in this regard by the NTA at her own costs along with one assistant viz., one of the parents or guardian, and in that case the petitioner can be shown the original OMR answer sheet for her perusal.

8. In that view of the matter and the stand taken by the petitioner as well



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as the submission made by the learned Standing Counsel for NTA, this Court is inclined to dispose of this writ petition with the following order.

- That there shall be a direction to the third respondent to fix a date for the presence of the petitioner along with her father/guardian to visit the office of the third respondent at Noida within a period of ten (10) days from today and the date so fixed should be intimated in advance to the petitioner by sending an e-mail. That apart it may also be communicated through the learned Standing Counsel for the third respondent to the learned counsel for the petitioner also.
- On the date to be fixed and intimated by the third respondent, it is open to the petitioner along with her father / guardian to travel to the third respondent office, where, on the date and time to be fixed in this regard as indicated above, the third respondent would show the original OMR answer sheet to the petitioner, who can peruse the same.

9. With the above directions, this writ petition is disposed of. No costs.

12.10.2022

Index : Yes/No

Internet : Yes/No

KST

Note : Issue order copy tomorrow (13.10.2022)

To

1 The Secretary



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Department of Health and Family Welfare
Fort St.George Chennai- 600 009.

- 2 The Director of Medical Education
College Road Chennai-600 006.
- 3 The Director
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R. SURESH KUMAR, J.

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