



W.A. No.2498 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.A. No.2498 of 2022

J.Pooja

... Appellant

versus

1.The National Medical Commission (Amin.Section)
rep. By its Chairman,
Pocket-14, Sector-8,
Dwarka Phase-I, New Delhi 110077

2.The Principal Secretary,
Department of Health and Family Welfare,
St.George Fort, Chennai 600 009.

3.The Director,
Directorate of Medical Education,
No.162, Periyar EVR Salai,
Kilpauk, Chennai 10

4.The Secretary,
Selection Committee,
Directorate of Medical Education,
No.162, Periyar EVR Salai,
Kilpauk, Chennai 10

... Respondents



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Prayer: Writ appeal filed under Clause 15 of the Letters Patent to set aside the order dated 01.11.2022 in WP No.28618 of 2022.

For the Appellant :: Mr.D.Selvam

For the Respondents :: Ms.Subharanjani Ananth,
for the first respondent

Mr.P.Muthkumar,
State Government Pleader,
for respondents 2 and 3

Mrs.M.Sneha,
Standing counsel,
for the fourth respondent

JUDGMENT

(Made by the Hon'ble Acting Chief Justice)

This writ appeal has been filed against the order of learned Single Judge dated 01.11.2022 in WP No.28618 of 2022, negating the prayer sought by the appellant in the writ petition for the issuance of a Writ of Mandamus directing the respondents to consider the representation of the appellant dated 19.10.2022 and consequently direct the respondents to accept the application of the appellant for Government quota for admission to MBBS/BDS Degree course in Tamil Nadu for 2022-2023 and include the appellant's name in rank list and



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2. According to the appellant, she appeared for NEET Examination for the third time during 2022-2023 selection and she secured 373 marks. Her All India Rank is 210818 and her rank for her community, viz., SC community is 16516. The appellant was confident of getting admission of the medical seat, if not in Government quota, at least in self-financing medical colleges. However, due to viral fever that she suffered between 01.10.2022 and 12.10.2022, the appellant could not make any application for admission to medical courses. Hence, the appellant preferred the writ petition seeking the above relief.

3. Learned Single Judge rejected the prayer sought for by the appellant. Challenging the said order, the present writ appeal has been filed by the appellant.

4. Learned counsel for the appellant submitted that if the representation of the appellant dated 19.10.2022 is taken up for



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consideration, no prejudice would be caused to anyone. The appellant could not submit her application for bona fide reasons i.e. she was suffering from viral fever between 01.10.2022 and 12.10.2022.

5. The learned Single Judge noted that the last date for making application was 03.10.2022 and it was later extended up to 06.10.2022. However, the appellant had missed both chances. The learned Single Judge opined that if the plea of the appellant is accepted, it would open up a Pandora's Box and there would be utter chaos before the Selection Committee. We also find merits thereon.

6. Besides, we do not find any merit in this writ appeal. The reasoning given by the learned Single Judge are cogent and convincing. The writ appeal, therefore, fails and the same is dismissed. No costs.

(T.R., ACJ.) (D.K.K., J.)
15.11.2022

Index: Yes/No
tar

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and
D.KRISHNAKUMAR, J.
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