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W.A.Nos.2530 & 2531 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2022

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.A.Nos.2530 & 2531 of 2022

W.A.No.2530 of 2022:

Dr.Arjunan R

.. Appellant

v.

01. Dr.Greeshma Gopal
02. Dr.Rohan Mahesh
03. Dr.Avinash Jothish Kurup
04. Dr.Anitta Elsa Oommen
05. Dr.Mohammed Arif Abdul Salam
06. Dr.Mariya Renny Mathew
07. Dr.Soofiya
08. The Selection Committee
represented by its Secretary /
Additional Director of Medical Education
Directorate of Medical Education
No.162, Periyar E.V.R.High Road
Kilpauk
Chennai 600 010



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09. Dr.Maria Hazel Charles
10. Dr.Lavanya R Michael
11. Dr.Kandasamy Siva Pettika
12. Dr.Madhavaraj Sundaravadivelan Neela
13. Dr.Radhalakshmi T
14. Dr.Maria Ann George
15. Dr.Thomas George
16. Dr.Barath Vishwanath
17. Dr.Janani Sankarakumar
18. Dr.S.S.Priyanka
19. Dr.Poornima Anandan
20. Dr.Hasna V.H
21. Dr.Ayna Ovezova
22. Dr.Karthiga A
23. Dr.Vonti Mittal Ismayeel
24. Dr.Ilaniyan Manivannan
25. Dr.Ajay
26. Dr.B.Kaveri
27. Dr.Fathima MM
28. Dr.Binchu Varghese
29. Dr.Lakshana R
30. Dr.Aishwarya Joseph Varikasery
31. Dr.Ayswarya Mohanakrishnan
32. Dr.R.Lokeshwara Prasad
33. Dr.Shriram
34. Dr.Ambika Suresh Kumar
35. Dr.Aswath Surya S
36. Dr.Kaviya S
37. Dr.Anisha Robinson
38. Dr.Sheetal Nandha Kishore
39. Dr.PL.Reshma
40. Dr.Hiba Muhamed Koya Konampulakkal
41. Dr.Samyuktha Babu Chitra
42. Dr.S.Vignesh



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43. Dr.Santhosh Narayanan R

44. Dr.Samuel R.Rakesh

.. Respondents

Appeal filed under Clause 15 of the Letters Patent, against the order dated 14.11.2022 passed in W.P.No.27151 of 2022.

For Appellant :: Mr.M.Vijayamehanath

For Respondents :: Mr.Abishek Jenasen for R1
Mr.J.Ravindran
Additional Advocate General
for Mrs.M.Sneha
Standing Counsel for R8
Mr.A.Sundaravadanam
for R11 & R17

W.A.No.2531 of 2022:

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represented by its Secretary /
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.. Appellant

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07. Dr.Sooiya
08. Dr.Maria Hazel Charles
09. Dr.Lavanya R Michael
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11. Dr.Madhavaraj Sundaravadivelan Neela
12. Dr.Radhalakshmi T
13. Dr.Maria Ann George
14. Dr.Thomas George
15. Dr.Barath Vishwanath
16. Dr.Janani Sankarakumar
17. Dr.S.S.Priyanka
18. Dr.Poornima Anandan
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23. Dr.Ilaniyan Manivannan
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25. Dr.B.Kaveri
26. Dr.Fathima MM
27. Dr.Binchu Varghese
28. Dr.Lakshana R
29. Dr.Aishwarya Joseph Varikasery
30. Dr.Ayswarya Mohanakrishnan
31. Dr.R.Lokeshwara Prasad
32. Dr.Shriram
33. Dr.Ambika Suresh Kumar
34. Dr.Aswath Surya S
35. Dr.Kaviya S
36. Dr.Anisha Robinson
37. Dr.Sheetal Nandha Kishore
38. Dr.PL.Reshma
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41. Dr.S.Vignesh

42. Dr.Arjunan R

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44. Dr.Samuel R.Rakesh

.. Respondents

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For Appellant :: Mr.J.Ravindran
Additional Advocate General
for Mrs.M.Sneha
Standing Counsel

For Respondents :: Mr.Abishek Jenasenan for R1
Mr.A.Sundaravadanam
for R10 & R16
Mr.M.Vijayamehanath for R42

JUDGMENT

(Judgment of the Court was made by the Hon'ble Acting Chief Justice)

The writ appeals have been preferred against the impugned order dated 14.10.2022 passed in Writ Petition No.27151 of 2022, in and by which the learned single Judge has directed the Selection Committee to hold the mop-up round of counselling by including the writ petitioners 1 and 5 / respondents 1 and 5 herein, as they have obtained 353 and 281 marks



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respectively in the PG NEET 2022, along with the candidates who have secured lesser marks than them.

2. Heard the learned counsel appearing for the parties.

3. When the matters were taken up, it was submitted that when seven petitioners approached this Court with the single Writ Petition No.27151 of 2022 seeking for issuance of a writ of certiorarified mandamus, calling for the records of the respondent Selection Committee in 'Provisional eligible list of NRI candidates for self-financing medical colleges' dated 04.10.2022 and 'Provisional list of candidates allotted under NRI category on 06.10.2022' dated 06.10.2022 and to quash the same with a consequential direction to the respondent to include the petitioners in the provisional eligible list of NRI candidates for self-financing colleges and accordingly include the petitioners in the counselling process for allotment of seats under NRI category, this Court, by the impugned order dated 14.11.2022, while dismissing the prayer made by five petitioners, namely, Petitioner



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Nos.2, 3, 4, 6 & 7, on the ground that P2 & P4 joined other institutions in Mumbai; that the NRI certificates produced by P3 & P6 were found to be bogus and that P7 did not qualify by obtaining the minimum marks, however, in respect of P1 & P5 are concerned, as they obtained 353 and 281 marks respectively in the PG NEET 2022, directed the Selection Committee to permit them to participate in the mop-up counselling. But today it is submitted before us that even out of these two, one has secured admission in one of the colleges in Mysuru and the other is not showing any interest to contest the matter.

4. Therefore, recording the statement made by the learned counsel appearing for the parties across the Bar that out of the two candidates sought to be permitted to take part in the mop-up counselling, one has secured admission in one of the colleges in Mysuru and the other is not showing any interest to pursue the matter, except observing that the directions given by the learned single Judge in paragraph-82 of the impugned order shall hold good, the writ appeals stand dismissed. Liberty



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is given to the Selection Committee to take appropriate action against the writ petitioners' concerned who have produced bogus NRI certificates in accordance with law. Consequently, C.M.P.Nos.19870 & 19873 of 2022 are also dismissed. However, there shall be no order as to costs.

Speaking/Non speaking order

(T.R.,A.C.J.) (D.K.K.,J.)

Index : yes/no

21.11.2022

SS

To

1. The Secretary /
Additional Director of Medical Education
Selection Committee
Directorate of Medical Education
No.162, Periyar E.V.R.High Road
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THE HON'BLE ACTING CHIEF JUSTICE
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