



W.P.No.31541 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.31541 of 2022

K.Suma

.... Petitioner

-Vs-

1.The Government of India
Rep.by its Secretary
Department of Health and Family Welfare
Ministry of Health and Family Welfare
Room No.348 A Wing
Nirman Bhavan, New Delhi.

2.The Medical Counselling Committee (MCC)
Rep.by its Chairman, D.G.H.S.,
Ministry of Health and Family Welfare
Room No.348 A Wing
Nirman Bhavan, New Delhi.

3.The Associate Dean of Graduate
Medical Education (ADGME)
Directorate General of Health Services
Nirman Bhavan, New Delhi- 110 001.

4.The National Medical Commission
Rep.by its Chairperson
Sector 8, Pocket 14, Phase-I
Dwaraka, New Delhi – 110 077.

.... 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 change the date of birth of the petitioner from 01.01.1995 to 08.04.1995 in the NEET



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Application ID No.NEET (PG-2022) and consequently direct the respondent to issue necessary certificate or communication to the petitioner.

For Petitioner : Mr.S.Indrajit
for Mr.K.Selvaraj

For Respondents : Ms.N.K.Nithila Vani
Central Government Standing Counsel
- for RR 1 to 3
Ms.Shubharanjani Ananth
Standing Counsel – for R4

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents to change the date of birth of the petitioner from 01.01.1995 to 08.04.1995 in the NEET Application ID No.NEET (PG-2022) and consequently direct the respondent to issue necessary certificate or communication to the petitioner.

2. The petitioner had written the NEET PG 2022 examination, where, in the application, instead of mentioning the correct date of birth 08.04.1995 since it has been wrongly mentioned as 01.01.1995, that has been reflected in the score card, based on which selection and allotment was given by way of provisional allotment letter dated 17.10.2022, where also the wrong date of birth viz., 01.01.1995 has been mentioned instead of 08.04.1995. Therefore, in order to correct the same, the present writ petition has been moved with the aforesaid



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3. Heard Mr.S.Indrajit, learned counsel for the petitioner, who after having reiterated the aforesaid facts, would seek the indulgence of this Court.

4. Heard Ms.N.K.Nithila Vani, learned Central Government Standing Counsel for the respondents 1 to 3 and Ms.Shubharanjani Ananth, learned Standing Counsel for the 4th respondent.

5. Learned Central Government Standing Counsel would submit that, if any bonafide mistake occurred in filing the application for NEET examination, based on which score card has been issued by the respondents carrying the wrong date of birth ie., 01.01.1995 instead of 08.04.1995, that would be considered and if it is substantiated by the petitioner, after verifying the documents in this regard, necessary correction would be made and corrected copy of the score card would be issued to the petitioner.

6. Having considered the said submission by the learned counsel for the respondents and taking into account the aforesaid factual matrix, where the petitioner has produced the Karnataka Secondary Examination Board Certificate ie., 10th Standard SSLC Certificate issued by the said Board, where also the date



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of birth has been mentioned as 08.04.1995, based on which the date of birth can easily be ascertained and accordingly necessary correction can be made by the respondents especially 3rd respondent.

7. In that view of the matter, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the respondents especially third respondent to entertain the request made by the petitioner for making correction of the date of birth in their entries regarding NEET PG 2022 examination and accordingly make the correct date of birth on verifying the other records produced by the petitioner including the SSLC Certificate issued by the Karnataka Secondary Education Examination Board and accordingly issue the corrected score card with corrected date of birth within a period of two weeks from the date of receipt of a copy of this order.”

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

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Index : Yes/No
Internet : Yes/No
KST
To

1.The Secretary
Department of Health and Family Welfare



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Ministry of Health and Family Welfare
Room No.348 A Wing
Nirman Bhavan, New Delhi.

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- 2.The Chairman
Medical Counselling Committee (MCC)
D.G.H.S., Ministry of Health and Family Welfare
Room No.348 A Wing
Nirman Bhavan, New Delhi.
- 3.The Associate Dean of Graduate
Medical Education (ADGME)
Directorate General of Health Services
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- 4.The National Medical Commission
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R. SURESH KUMAR, J.

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