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WP.No.33653 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2022

CORAM

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

WP.No.33653 of 2022

Minor Devadarshini M.A.
Aged 17 years
Rep. by her father and guardian
K.Murugan

...petitioner

Vs.

1. The Director of Higher and Technical Education,
Government of Puducherry,
Pipmate Complex, Lawspet Road,
Puducherry 605 008.
2. Centralized Admission Committee (CENTAC),
Rep. by its Convenor,
Pondicherry Engineering College Campus,
Pillaichavadi, Puducherry – 605 014.
3. National Medical Commission,
Rep. by its Chairman,
Pocket-14, Sector-8,
Dwaraka Phase-1,
New Delhi – 110 077.
4. The Director,
NEET Examination,
Shiksha Kendra, 2, Community center,
Preet Vihar,
Delhi – 110 092.

...respondents



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Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to process the petitioner's online application dated 16.09.2022 for admission in MBBS Course through the 2nd respondent (CENTAC), Government of Puducherry, for the academic year 2022-2023 in any one of the vacancies available in Self-Financed Colleges under the 1st respondent by accepting petitioner's Higher Secondary School Certificate (+2) Marksheet/Marks.

For Petitioner : Ms.H.Mary Sowmi Rexi
for M/s.Isaac Chambers

For Respondents
for R1 : Mr.J.Kumaran, AGP (Puducherry)
for R2 : Mr.A.Tamilvanan, AGP
for R3 : Ms.Subaranjani Ananth, Standing Counsel

ORDER

The petitioner would submit that while uploading mark sheet along with on-line application on 16.09.2022, instead of uploading her +2 mark sheet, +2 mark sheet of another candidate was uploaded by the browsing center. Realising the mistake, the petitioner approached the second respondent and upon the direction of the second respondent, she



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also uploaded the correct mark sheet on 22.11.2022 at 2.31 am and 2.33 am and she again uploaded the mark sheet on 26.11.2022 and 01.12.2022. The standard reply that was given by the second respondent is that since the final merit list has been published, change in the failed status cannot be altered.

2. Heard Ms.H.Mary Sowmi Rexi, learned counsel for the appellant, Mr.J.Kumaran, learned Additional Government Pleader (Puducherry) appearing for the first respondent, Mr.A.Tamilvanan, learned Additional Government Pleader appearing for the second respondent and Ms.Subaranjani Ananth, learned Standing Counsel appearing for the third respondent.

3. Mr.A.Tamilvanan, learned Additional Government Pleader appearing for the second respondent/Centralized Admission Committee (CENTAC) vehemently contends that the candidate has to blame herself for having uploaded the wrong mark sheet and she having not approached them in time, shall not be entitled for any indulgence from this Court.



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4. As on today, the first and second round of counselling is already over. The petitioner seeks admission only under the self financing quota and the petitioner has also uploaded her correct marksheet. Therefore, taking sympathetic view, the second respondent/Centralized Admission Committee (CENTAC) is directed to accommodate the petitioner in the mop up counseling in a self financing seat, if she is otherwise qualified.

5. Accordingly this Writ Petition is disposed of. No costs. This order shall not be treated as a precedent in future.

13.12.2022

Index : Yes/No

Note: Issue order copy today (13.12.2022).

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