



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 25.04.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P. (MD) .No.18453 of 2021**

**and**

**W.M.P. (MD) .No.15234 of 2021**

G.Divya

... Petitioner

**Vs.**

1.The Secretary,  
Ministry of Health and Family Welfare,  
Room No.156A, "A" Wing,  
Nirman Bhawan,  
New Delhi - 110 011.

2.Medical Counselling Committee (MCC),  
Directorate General of Health Services,  
Ministry of Health and Family Welfare,  
Nirman Bhawan,  
New Delhi - 110 011.

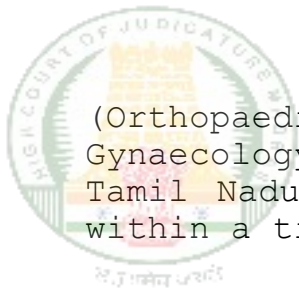
3.The Executive Director,  
National Board of Examinations in  
Medical Sciences,  
Medical Enclave,  
Ansari Nagar Ring Road,  
New Delhi -110 029.

4.Nation Medical Commission,  
Pocket - 14, Sector - 8,  
Dwaraka Phase-1,  
New Delhi -110 077.

...Respondents

*(R-4 is impleaded vide Court order dated 29.11.2021 in W.M.P.(MD). No.17444 of 2021 in W.P.(MD).No.18453 of 2021)*

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the third respondent to provide at least 25% of the marks scored by the petitioner in the NEET Exam, as incentive marks and consequently direct the respondents to revise the rank of the petitioner in the rank list published by the third respondent and to reserve a P.G seat under 50% All India Government Quota seats in M.S (General Surgery) or M.D (General Medicine) or M.S



(Orthopaedics) or M.D (Radio Diagnosis) or M.S (Obstetrics and Gynaecology) or M.D (Paediatrics) in a Government Medical College in Tamil Nadu State for the petitioner for the academic year 2021-22 within a time to be stipulated by this Court.

For Petitioner : Mr.S.Venkatesh  
for Mr.A.Sivaji  
For R-1 and R-2 : Mr.M.Karunanithi,  
Central Government Standing Counsel.  
For R-3 : Mr.R.Thirunavukarasu,  
Standing Counsel.  
For R-4 : M/s.Shubaranjani Ananth

**ORDER**

Learned counsel for the petitioner submits that the matter has now become infructuous in view of the fact that counselling has already taken place and seats have been allotted already. He has also made an endorsement to that effect in the Court bundle.

2. Accordingly, this Writ Petition is dismissed as infructuous. It is left open to the petitioner to seek for incentive marks, if so advised, for the next academic year and it is for the respondents to consider the same on merits and in accordance with law. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

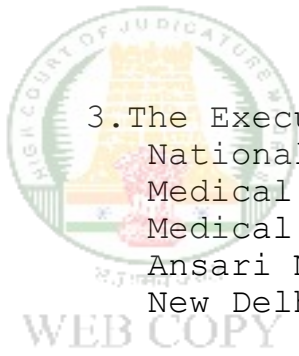
Sub Assistant Registrar(CS)

Lm

TO:

1.The Secretary,  
Ministry of Health and Family Welfare,  
Room No.156A, "A" Wing,  
Nirman Bhawan,  
New Delhi - 110 011.

2.Medical Counselling Committee (MCC),  
Directorate General of Health Services,  
Ministry of Health and Family Welfare,  
Nirman Bhawan,  
New Delhi - 110 011.



3.The Executive Director,  
National Board of Examinations in  
Medical Sciences,  
Medical Enclave,  
Ansari Nagar Ring Road,  
New Delhi -110 029.

4.Nation Medical Commission,  
Pocket - 14, Sector - 8,  
Dwaraka Phase-1,  
New Delhi -110 077.

+1 CC to M/s.M. KARUNANITHI, Advocate ( SR-21777[F] dated 27/04/2022 )

+1 CC to M/s.A.SIVAJI, Advocate ( SR-21002[F] dated 25/04/2022 )

**W.P. (MD) .No.18453 of 2021  
25.04.2022**

RD(12.05.2022) 3P 7C