



WEB COPY



WP No.16556 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.16556 of 2019

and WMP Nos.16192, 16195 and 16197 of 2019

Govindaraj Vaimitra (Minor),
Rep. by Father and Natural Guardian,
Dr.S.Govindaraj.

.. Petitioner

-VS-

1. Medical Council of India,
Rep. by Secretary,
Sector-VIII, Dwaraga Phase II,
New Delhi 110 077.
2. National Institute of Open Studies,
Ministry of Human Resource Development,
Government of India,
A-24/25, Institutional Area,
Sector062, NOIDA,
District Gautam Budh Nagar,
Uttar Pradesh 201 309.
3. Medical Counselling Committee,
Directorate General of Health Services,
Ministry of Health and Family Welfare,
Government of India, Nirman Bhawan,
Maulana Azad Road, New Delhi 110 011.



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4. The Selection Committee,
Directorate of Medical Education,
No.162, Periyar EVR High Road,
Kilpauk, Chennai 600 010.

5. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai 600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration to declare Clause (d) of the Qualifying Criteria appearing in Clause 3 under the caption General Eligibility Criteria and Clause 4(a) appearing under the caption Non-Eligibility Criteria set out in the Prospectus for admission to MBBS/BDS degree courses in Tamil Nadu Government Medical/Dental Colleges for 2019-2020 session issued by the 4th respondent as illegal, arbitrary and violative of Article 14 of the Constitution of Indian in so far as the said clauses have made candidates who have passed 10+2 from open school shall not be eligible to appear for National Eligibility-cum-Entrance Test (NEET) and apply for MBBS Degree Courses and consequently direct the 4th respondent to call the petitioner for counselling based on the Online application which the petitioner has filed on 12.06.2019 for a MBBS seat and allot the petitioner to any one of the Medical Colleges set out in the prospectus for the session 2019-2020 based on her National Eligibility-cum-Entrance Test (NEET) score.

For the Petitioner : Mrs.C.Uma

For the Respondents : M/s.Subharanjani Ananth
for R-1
: Mr.Rajesh Vivekananthan
Dy.S.G.I for R-2
: Mr.S.Diwahar
Spl.Panel Counsel for R-3
: Ms.M.Sneha for R-4
: Mr.U.Baranidharan
Addl. Govt. Pleader for R-5

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ORDER

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(Order of the Court was made by The Hon'ble Chief Justice)

The learned counsel for the petitioner, on instructions, submits that the petition has become infructuous. The writ petition, as such, is dismissed as infructuous. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(P.D.A., J.)

26.06.2023

Index : yes/no
Neutral Citation : Yes/No
sra

To:

1. The Secretary,
Medical Council of India,
Sector-VIII, Dwaraga Phase II,
New Delhi 110 077.
2. National Institute of Open Studies,
Ministry of Human Resource Development,
Government of India,
A-24/25, Institutional Area,
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

3. Medical Counselling Committee,
Directorate General of Health Services,
Ministry of Health and Family Welfare,
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