



W.P.No.20551 of 2023
&WMP.Nos.19933 and 19934 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.20551 of 2023
&WMP.Nos.19933 and 19934 of 2023

M.Nagulan

...Petitioner

-Vs-

- 1.The Government of India,
Represented by Secretary,
Ministry of Education,
207-C Wing, Shastri Bhavan,
New Delhi.
- 2.The National Testing Agency,
Represented by its Director General,
First Floor, NSIC,
MDBP Building,
Okhla Industrial Estate,
New Delhi – 110 020.
- 3.The Chairman Local Organizing Committee,
Joint Seat Allocation Authority,
National Institute of Technology,
Rourkela,
Rourkela – 769 008.
- 4.The National Institute of Technology,
Tiruchirappalli,
Represented by its Director,
Tanjore Main Road, NH67, near BHEL,
Tiruchirappalli, Tamil Nadu 620 015.



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5.The National Institute of Technology
of Calicut,
Represented by its Director,
Mukkam Road, Kattangal,
Kerala – 673 601.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider the mark of the Petitioner in Session – I of JEE for main Examination 2023 as 93.1518433 and his community Rank in the Schedule Caste community as 2703 and accordingly direct the Respondents to allot the petitioner a seat in National Institute of Technology, Tiruchirappalli, Mechanical Engineering Branch or NIT Calicut Engineering Physics branch. .

For Petitioner : Mr.K.Manikandan

For R1 : Ms.R.Durga Rani,
(Central Government Standing Counsel)

For R2 : Ms.Sunita Kumari,

ORDER

The JEE Main Examination for the academic year 2023-2024, was held in January, 2023, and the petitioner took the examination. According to



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him, he has secured 93.1518433, and was ranked 2703 in the Scheduled Caste category. To improve on it, he again took the examination but on this occasion, it appears that he has secured a lesser mark. Therefore, he chose to make use of the marks that he had obtained in the first session, but this time when he downloaded it, the mark sheet shows that he has obtained only 64.2518433 and ranked 30138 in the Scheduled Caste category. In other words, the petitioner has two mark sheets for the same session bearing the same date.

2.The learned counsel for the National Testing Agency, the second respondent informed the Court that the entire answer script were shared with the petitioner and it will make it evident that the first obtained mark sheet was fabricated.

3.The learned counsel for the petitioner makes a statement on instruction that he is withdrawing the Writ Petition. He has also made necessary endorsement to that effect.



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4.This Court can initiate an action for criminal contempt of Court and also for forgery, which this Court for the present dispenses.

5.This Court now directs the Authorities to proceed against the petitioner criminally and the withdrawal of the Writ Petition will have no bearing on any such criminal prosecution.

6.Accordingly, the Writ Petition is dismissed as withdrawn. No costs. Consequently, the connected miscellaneous petitions are closed.

25.07.2023

Index : Yes/No

Internet : Yes/No

Tsg

To

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N.SESHASAYEE, J.,

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