



W.P. No.23476 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 10.08.2023

CORAM: JUSTICE N.SESHASAYEE

W.P. No.23476 of 2023

Srinitha.H

... Petitioner

Vs.

- 1.The Secretary
Union of India
Ministry of Education
New Delhi - 110 001
- 2.The Secretary
Union of India
Ministry of Health and Family Welfare
New Delhi - 110 001
- 3.The Senior Director
NEET (UG)
National Testing Agency
C-20 1A/8, Sector 62, IITK Outreach Centre
Noida - 201 309
- 4.The Chairman
National Medical Commission
Pocket - 14, Sector - 8, Dwaraka Phase - 1
New Delhi - 110 077, India
- 5.The Medical Counselling Committee
(MCC) Rep. by its Chairman DGHS
Ministry of Health and Family Welfare
Government of India, Room No.348 A Wing
Nirman Bhavan, New Delhi - 110 011.



W.P. No.23476 of 2023

6. Selection Committee

Rep. by its Chairman

Directorate of Medical Education

163, Periyar E.V.R. High Road

Kilpauk, Chennai - 600 010

7. The Director of Medical Education

Director General of Health Services

156, Poonamallee High Road

New Boopathy Nagar, Chetpet

Chennai - 600 031

8. National Board of Examinations

H698+9FC, Medical Enclave

Ansari Nagar, Mahatma Gandhi Marg

Ring Road, New Delhi

Delhi 110 029

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for a writ of mandamus directing the respondents to pass appropriate orders for the rectification of the category from General to OBC in the NEET (UG) 2023 Score card of Srinitha.H with Application No.230410136712 and Roll No.4108010931.

For Petitioner

: Mr.A.Syed Kaleesha

For Respondents

: Mr.A.Veeramani

Central Govt. Counsel 1, 2 & 5

Ms.Sunitha Kumari for R3

Ms.Shubharanjani Ananth for R4

Ms.M.Sneha for R6

Mr.G.Ameedius, Govt. Advocate
for R7 & R8



W.P. No.23476 of 2023

WEB COPY

ORDER

The petitioner herein wrote her NEET-UG examination for the academic year 2023-2024 and has scored a fabulous 691 out of 720 marks. However, when she registered for counselling, she gave her category as 'General Category', but she claims that she belongs to 'Agamudayar Community' which is recognised as a Backward Class in Tamil Nadu and the same will come under OBC category in the central list. She now wants conversion of her category from 'General' to 'OBC'.

2.The petitioner has obtained her community certificate only on 07.07.2023. The last date for registration of counselling was on 03.08.2023. But notwithstanding the fact that the petitioner had obtained community certificate on 07.07.2023, she did not choose to upload it and the results were declared on 06.08.2023 and the last date for joining is 11.08.2023.

3.So far as the petitioner is concerned, she has been allotted a seat in the Government College in the General Category in Madras Medical College, a premium medical college in the State. Therefore, even if her category is



W.P. No.23476 of 2023

changed from 'General Category' to 'OBC', she is not going to get a better institution than Madras Medical College. Since she has already got an admission therein, the entire exercise will be futile as of now.

4.Learned counsel for the petitioner however submitted that the petitioner is still interested in having her category conversion from 'General' to 'OBC', since at least it may benefit her in future, this court makes it clear that it has no intention and it hence refrains from making any direction to the 6th respondent from changing the rule in the middle of the game.

5.So far as the petitioner is concerned, she has been allotted a seat in Madras Medical College and she could not have asked for a better institution. The nature of the prayer that the petitioner now seeks essentially will have the effect of interfering with the ongoing process, which for all practicable purposes has ended. The petitioner has come before this court few stages too late and hence this court is not in a position to consider the request of the petitioner.



W.P. No.23476 of 2023

6. In conclusion to state that obviously this court does not consider it necessary to issue any direction. Hence the writ petition is closed. No costs.

10.08.2023

Asr

Index : Yes/No

Speaking/Non-speaking order

To

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Ministry of Education

New Delhi - 110 001

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Ministry of Health and Family Welfare

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3.The Senior Director

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N.SESHASAYEE, J.,

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W.P. No.23476 of 2023

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