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W.P.No.26566 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

**MR.JUSTICE N.SESHASAYEE**

W.P.No.26566 of 2023  
and W.M.P.No.25976 of 2023

B.Morison Sam

... Petitioner

Vs.

1.Director of Medical Education and Research  
Selection Committee,  
Directorate of Medical Education,  
No.162, Periyar E.V.R. High Road,  
Kilpauk,  
Chennai-600010

2.The National Medical Commission,  
Pocket 14, Sector - 8,  
Dwarka Phase-1,  
New Delhi-110077

3.The Secretary,  
Selection Committee,  
Directorate of Medical Education,  
No.162, Periyar E.V.R High Road,  
Kilpauk,  
Chennai-600010.

(*suo motu* impleaded as the third respondent  
vide order of this Court dated 08.09.2023  
in W.P.No.26566 of 2023 by NSSJ)

... Respondents



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**PRAYER:** The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, directing the respondent to allot a medical MBBS (management quota) seat under Christian minority category for the course session 2023-2024.

For Petitioner : Mr.V.Karthikeyan  
for M/s.S.Joel

For Respondents : Mr.M.Bindran  
Additional Government Pleader for R1

Ms.Shubharanjani Ananth  
Standing Counsel for R2

Ms.M.Sneha for R3

### **ORDER**

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner herein seeks an admission under the 20% quota earmarked for the religious minority category at any of the Christian medical institutions.



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3. Mr. V. Karthikeyan, the learned counsel for the petitioner submitted that the petitioner, despite being a religious minority and satisfying the criteria required, has not uploaded the certificate along with his application for registration for medical admission counselling for the academic year 2023 - 2024. He submitted that it was essentially due to a certain ambiguity created in the form prescribed as it does not specifically state who ought to issue the religious minority certificate. Hence, by inadvertence, he has uploaded the certificate issued by the head of the institution where he completed his Higher Secondary education.

4. On perusing the papers, this Court finds that the petitioner has not properly arrayed the respondents. Therefore, this Court *suo motu* re-arrange and implead the respondents. Accordingly, the first respondent would be the Director of Medical Education and Research, Selection Committee, Directorate of Medical Education, No.162, Periyar E.V.R. High Road, Kilpauk, Chennai-600010, the second respondent would be the National Medical Commission, Pocket 14, Sector 8, Dwarka Phase 1, New Delhi-



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110077, and the third respondent would be the Secretary, Selection Committee, Directorate of Medical Education, No.162, Periyar E.V.R. High Road, Kilpauk, Chennai-600010.

5.Ms.M.Sneha, the learned counsel appearing for the third respondent informed the Court that the prospectus has given all the information necessary under the caption "Important Information", wherein it is specifically stated that the certificate regarding religious minority must be issued by an authorized revenue official from the candidate's native place. She also added that the online registration for the counselling was closed long before and two rounds of counselling has also been completed. She added that only mop up and stray counselling alone remains to be conducted.

6.This Court can merely record its sympathy for the petitioner as it cannot and does not intend to direct the reopening of the portal just to accommodate the case of the petitioner. The petitioner ought to have been careful more so when the prospectus enclosed in the very petition provides 13 important piece of informations, with the 12<sup>th</sup> information specifically relating to the



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nature of certificate to be uploaded by a religious minority candidate.

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7.Wishing the petitioner Good Luck for the next academic year, this Court is constrained to dismiss this petition.

8.This writ petition stands dismissed accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

08.09.2023

Anu

Index : Yes / No

Neutral Citation : Yes / No

N.SESHASAYEE, J.



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Anu

To.

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