



W.P.No.26082 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.26916 of 2023
and WMP.No.26348 of 2023

P.Ovviya

... Petitioner

Vs

1.The Convenor

CENTAC (2023 – 2024)

Directorate of Higher and Technical Education

Kamarajar Manimandapam

Karuvadikuppam

Puducherry – 605 008.

2.The Director cum Nodal Officer

Medical Education

Directorate of Health and Family Welfare

Puducherry.

3.The Secretary

Selection Committee

Directorate of Medical Education and Research

Kilpauk, Chennai – 600 010.

[R3 – suo motu impleaded vide order dated
11.09.2023 in W.P.No.26916 of 2023]

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forthwith consider the claim of the petitioner for allotment of MBBS seat at the appropriate place in the Revised Updated Draft Merit List dated 08.09.2023 for NEET based on UG Medical Course under the Government Quota by restoring the seniority at Sl.No.451 based on NEET Ranking and allow her to complete the MBBS course.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.A.Tamilvanan
Additional Govt Pleader (Pondy)
[for R1 & R2]

Mrs.M.Sneha for R3

ORDER

The petitioner has participated in NEET examination for Medicine UG Programme for the year 2023-2024, and she had scored 394 out of 720 marks. She registered herself for counselling both in Tamil Nadu, and also in Puducherry as she is a domicile of Puducherry. The petitioner would then make a representation to the Selection Committee in Tamil Nadu on 16.07.2023, withdrawing her candidature in Tamil Nadu, and intends to participate only in Puducherry. According to the petitioner, her name finds



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a place in the draft merit list for NEET UG Medical Course under the Government Quota intended for Union Territories published on 09.08.2023, 15.08.2023 and 25.08.2023, but in the revised Updated Draft Merit List published on 08.09.2023, her name did not figure, and when enquired, she came to know that the omission or rather deletion of her name was owing to the petitioner claiming dual nativity. Hence, the petitioner has come before this Court with this petition.

2. This Court *suo motu* impleads the Secretary, Selection Committee, Directorate of Medical Education and Research, Kilpauk, Chennai-600 010, as the third respondent.

3. Mr.A.Tamilvanan, learned Additional Government Pleader (Pondy) takes notice for respondents 1 and 2, and Mrs.M.Sneha, learned counsel takes notice for the third respondent.

4. The learned counsel appearing for the petitioner has made his submissions as outlined in the pleadings of the petitioner. He also contended that though the mistake has been committed by the petitioner in



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making such a claim of dual nativity at an earlier point of time, the same was rectified by way of representation before the third respondent on 16.07.2023, withdrawing her candidature in Tamil Nadu, and even though the first respondent had acknowledged the representation made by the petitioner to the third respondent, still omitted to include her name in the final merit list for NEET counselling published by the Puducherry.

5. The learned Additional Government Pleader (Pondy) appearing for respondents 1 and 2 made a statement that the first respondent has addressed a communication to the third respondent on 12.08.2023, to ascertain whether the petitioner has actually withdrawn her candidature in Tamil Nadu.

6. The learned counsel for the third respondent would now make a statement on instructions that petitioner's name figure both in the Government Quota and Management Quota in Tamil Nadu, and that she has not participated in the two rounds of counselling conducted by the third respondent. She also submitted that in the eventuality of the petitioner opting for counselling by the CENTAC, then she should not participate in mop-up or stray



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counselling to be conducted in Tamil Nadu. The counsel for the petitioner makes an undertaking to that effect.

7. This Court now directs the third respondent to make an official communication forthwith about the letter given by the petitioner withdrawing her candidature in Tamil Nadu, to CENTAC. The first respondent - CENTAC is now required to include the name of the petitioner in the final rank list of NEET UG Medicine, as per merit in view of this development. The third respondent is also required to block the name of the petitioner from participating in mop-up or stray counselling for NEET UG programme in Tamil Nadu.

9. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

11.09.2023

Index : Yes / No
Speaking order / Non-speaking order
ds

Note to Registry :

- (1) To carry out the necessary amendment in the cause title, impleading the suo motu respondent.
- (2) Issue order copy on 12.09.2023



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N.SESHASAYEE.J.,

ds

To:

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