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W.P.No.28318 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.28318 of 2023
& WMP.No.27838 of 2023

S Anisan Amritha

... Petitioner

Vs.

1.The Director General of Health Service,
Ministry of Health and Family Welfare,
Government of India,
New Delhi – 695 121.

2.The Medical Counselling Committee (MCC)
Ministry of Health and Family Welfare,
Government of India,
New Delhi – 110 011.

3.The Senior Director,
National Testing Agency,
Ministry of Education,
Ministry of Health and Family Welfare,
Government of India,
New Delhi.



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4.The Registrar,
Mahatma Gandhi Medical College,
SBV Pondicherry Campus,
Pillaiyarkuppam,
Puducherry – 607 402.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to permit the petitioner to participate in the final All India Quota Stray vacancy round for NEET-MBBS course and to consider the petitioner on merits for the stay vacancies based on petitioner NEET rank.

For Petitioner	: Mr.K.Kannadhasan
For R1 & R2	: Mr.K.Srinivasamurthy, SPC
For R3	: Ms.Sunita Kumari

ORDER

The petitioner herein has been allotted a medical seat in the third round of counselling by the fourth respondent in the all India quota. The petitioner however, did not join and now seeks a direction to participate in the State counselling.

2.Mr.K.Srinivasamurthy, learned Special Panel Counsel takes notice for the respondents 1 and 2.



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3. Ms. Sunitha Kumari, learned counsel takes notice for the third respondent.

4. The learned Special Panel Counsel appearing for the respondents 1 and 2 submitted that as per the prospectus, he or she who is allotted a seat, if does not join, is barred from seeking admission.

5. The said statement of the learned counsel is recorded.

6. This Court is informed that the petitioner has paid a sum of Rs.2.05 Lakhs for joining the medical course, but could not join.

7. The petitioner is now required to approach the fourth respondent seeking repayment of the amount she has deposited with the fourth respondent and it is for the fourth respondent to take a call on the matter, subject to such Rules guiding it.



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8.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

26.09.2023

Tsg

Index : Yes / No

Neutral citation : yes/no

To

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