



W.P.No.21592 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21592 of 2024

and

W.M.P. No. 21592 of 2024

Preethi Sarafogi

... Petitioner

Vs

1. Union of India represented by its Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, Rajpath Area,
Central Secretariat,
New Delhi, Delhi – 110 001.

2. The National Medical Commission,
represented by its Secretary,
H3GG + 9PC Dada Dev Mandir Road,
Block P, Sector 8, Dwarka,
New Delhi – 110 077.

3. The Registrar,
Dr. M.G.R. Medical University,
69, Anna Salai Road, Guindy,
Chennai – 600 032.

4. The Dean,
Thanjavur Medical College and Hospital,
Thanjavur.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent in Ref. No. EXI (2) 04805/2024 dated 25.03.2024 and quash the same and direct all the respondents to grant 3 grace marks in Biochemistry subject in the 1st MBBS examination held in the month of January 2024 to the petitioner or to permit the petitioner to undergo Biochemistry examination as the fifth attempt in the next examination for the first year M.B.B.S course which is scheduled to be held in the month of August 2024 or in the subsequent examinations.

For Petitioner : Mr. S.Selva Thirumurugan

For Respondents : Mr. V.Chandrasekaran,
Senior Panel Counsel (R1)

Mr. M.Bindran,
Additional Government Pleader (for R4)

O R D E R

This Writ Petition has been filed challenging the order dated 25.03.2024 passed by the third respondent, thereby rejecting the request made by the petitioner to grant of 3 grace marks in Biochemistry.



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2. The learned counsel for the petitioner submitted that the petitioner restricts his prayer to consider the subsequent representation dated 11.06.2024, seeking one more chance to rewrite the Biochemistry examination in the first year MBBS course.

3. Considering the limited relief sought for in the petition, without expressing any opinion on merits of the writ petition, the first and second respondents are directed to dispose of the said representation dated 11.06.2024 made by the petitioner and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

02.08.2024

Index: Yes/No
Neutral Citation: Yes/No
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To

1. The Secretary,
The Ministry of Health and Family Welfare,
Nirman Bhawan, Rajpath Area,
Central Secretariat,
New Delhi, Delhi – 110 001.
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The National Medical Commission,
H3GG + 9PC Dada Dev Mandir Road,
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G.K.ILANTHIRAIYAN, J.

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