



W.P.No.27021 of 2024

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M.DHANDAPANI, J.

This Court, vide order dated 22.10.2024 dismissed this Writ petition and today, this matter is listed under the caption “For Being Mentioned”.

2. It is seen that the grievance of the learned counsel relates to marking of his presence in the order dated 22.10.2024 made in this Writ petition and there is no error in the order portion. Hence, there is no necessity for making any correction in the order dated 22.10.2024.

3. Registry is directed to make necessary corrections in the appearance and mark the presence of Mr.Prakash Adiapadam as learned counsel for the 6th and 7th respondents in the order dated 22.10.2024 and issue fresh copy of the order to the learned counsel for the parties.

4. All the other observations made in the earlier order dated 22.10.2024 shall remain intact.

14.11.2024



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27021 of 2024

And

W.M.P.No.29539 of 2024

D.Senthil Kumar

... Petitioner

Vs.

- 1.The Government of Puducherry,
Represented by its Secretary to Government,
Department of Higher and Technical Education,
Government of Puducherry,
Puducherry – 605 001.
- 2.The Director,
Department of Health and Family Welfare Services/
Nodal Officer - NEET (UG),
Government of Puducherry,
Puducherry – 605 001.
- 3.The Centralized Admission Committee
Government of Puducherry,
Represented by its Convenor,
Kamaraj Mani Mandapam,
Lawspet,
Puducherry – 605 008.
- 4.National Medical Commission,
Represented by its President,
No.14, Sector-8,
Dwaraka,
New Delhi – 110 077.



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5.M/s.Director of Sports and Youth Affairs

Represented by its Director

III Floor, 'b' Block,

Perunthalaivar Kamarajar Centenary Education, Complex,

Anna Nagar,

Puducherry – 605 005.

6.Minor N.Varsha

Rep. by its Father Mr.Nagaraj

7.Minor P.Sanjana

Rep. by its Father Mr.Palani

8.Minor S.Mukund

Rep. by its Father Mr.Siva

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order vide.No.M5095/2024/CENTAC dated 02.09.2024 passed by the third respondent herein and quash the same and direct the respondents 3 and 5 to allot 500 marks instead of 350 marks for petitioner's son Mr.Dharshan's participation and securing Gold in 1st Asian Atya Patya Championship, under the Category-1 of G.O.Ms.No.53 dated 24.05.2012 and to give total mark of 745 instead of 595 mark and to admit his son Mr.Darshan, aged about 17 years, to the 1st Year MBBS for the Academic Year 2024-25 under the Meritorious Sports Personnel Quota for the UG NEET Course 2024-25 according to Merit List based on his representation dated 04.09.2024.

For Petitioner : Mr.P.Balamurugan

For Respondents : Mr.J.Kumaran for R1 to R3 & R5
Additional Government Pleader (P)
Mrs.Shubaranjani Ananth for R4
Mr.V.Chandrasekaran for R8



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ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the order vide.No.M5095/2024/CENTAC dated 02.09.2024 passed by the third respondent and quash the same and direct the respondents 3 and 5 to allot 500 marks instead of 350 marks for petitioner's son's participation and securing Gold in 1st Asian Atya Patya Championship, under the Category-1 of G.O.Ms.No.53 dated 24.05.2012 and to give total mark of 745 instead of 595 mark and to admit his son to the 1st Year MBBS for the Academic Year 2024-25 under the Meritorious Sports Personnel Quota for the UG NEET Course 2024-25 according to Merit List based on his representation dated 04.09.2024.

2.The case of the petitioner is that the petitioner's son studied his Higher Secondary in PETIT SEMINAIRE Higher Secondary School and he belongs to Arunthathiyar Migrant which comes under the Category of Scheduled Caste and he secured 259 out of 720 in NEET-UG 2024-25. The petitioner's son participated in the 1st Asian Atya Patya Championship which was held at Kathmandu, Nepal, between 28.03.2024 and 31.03.2024 and he won Gold Medal and Atya Patya



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Federation of India which was recognized by the Government of India, Ministry of Sports Affairs, issued Merit Certificate.

3.The further case of the petitioner is that as per G.O.Ms.No.98 dated 12.09.2009, Asian Championship comes under the Category – I and if someone represents India in International competitions for Category – I and secured Gold Medal, the minimum marks to be given is 500, however, the petitioner's son was given only 350 marks though he secured Gold Medal in Asian Atya Patya Championship. Hence the petitioner made his objection, however, the respondents did not change his son's marks. Hence, the petitioner filed W.P.No.19853 of 2024 seeking direction to the third respondent to provide him total of 745 marks under Meritorious Sports Personnel Quota for the UG-NEET Courses 2024-25 including 500 marks to his son and this Court vide order dated 27.08.2024 directed the respondents 2 and 3 to consider the petitioner's representation and to pass appropriate orders, pursuant to which, the impugned order was passed. Hence, this writ petition.

4.The learned counsel appearing for the petitioner submitted



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that Atya Patya is a game recognized by the Government of India and Ministry of Youth Sports, New Delhi. The 1st Asian Atya Patya Championship was held at Kathmandu, Nepal, between 28.03.2024 and 31.03.2024, in which the petitioner's son participated and he won Gold Medal. The Asian Atya Patya Championship comes under Category – I and as per G.O.Ms.No.53 dated 24.05.2012, if someone represents India in Category – I competitions and secure Gold Medal, they are entitled for 500 marks; Silver Medal, they are entitled for 450 marks; Bronze Medal, they are entitled for 400 marks and those who participate are entitled to 150 marks and if someone represents India in Category – II competitions and secure Gold Medal, they are entitled for 350 marks; Silver Medal, they are entitled for 300 marks; Bronze Medal, they are entitled for 250 marks and those who participate are entitled to 125 marks. The petitioner's son participated in Category – I competitions and won Gold Medal and hence, the petitioner's son is entitled for 500 marks.

5.The learned counsel appearing for the petitioner further submitted that definition for International Tournaments is also given in G.O.Ms.No.53 dated 24.05.2012, wherein, definition for Category 1 is



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'Olympic Games World Cup/ World Championship, Commonwealth Games, Asian Games, Asian Championships, Junior World Cup/ World Championships, Asian Junior Championships, World School Games, Afro Asian Games, South Asian Federation Games and Junior South Asian Federation Games.' and Category 2 is 'All other International Tournaments not covered under Category 1 and wherein not less than 6 countries had participated in each event (i) Participation/ Achievement in International Tournaments will be considered only with earlier achievements at National/ State Level Tournaments (ii) Only Tournaments officially recognised by the Indian Olympic Association/ Official National Federation will be considered for the award of marks (for each year) viz., for continuous 5 years prior to the year of admission sought for (iii) Participation/ Achievements in Tournaments with prescribed Form – 1 Certificate alone eligible for marks indicated for International Achievements in Table 1." In the present case, the petitioner's son participated in Category – I competitions and won Gold Medal and hence, the petitioner's son is entitled for 500 marks.

6.The learned Additional Additional Government Pleader (P) submitted that as per the 'general conditions' enumerated in



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G.O.Ms.No.53 dated 24.05.2012 of the Chief Secretariat (Education), condition no.3 stipulates that in the category "International (Representing India)" the competent authority is the Secretary – General of the Official National Sports Federation (recognized by Indian Olympic Association and Ministry of Youth Affairs and Sports). Hence the Expert Committed opined that Atya Patya game in which the petitioner's son participate was not even recognized by the Indian Olympic Association as on date and hence he cannot claim 500 marks as per the said Government Order. He further submitted that in the light of the guidelines, 350 marks was awarded to the petitioner's son and further submitted that the allotment of marks to the petitioner's son is perfectly in tune with the relevant guidelines.

7.Heard the submissions made on either side and perused the materials available on record.

8.Admittedly, the petitioner's son participated in the 1st Asian Atya Patya Championship which was held at Kathmandu, Nepal, between 28.03.2024 and 31.03.2024 and his team won Gold Medal. As per the 'general conditions' enumerated in G.O.Ms.No.53 dated 24.05.2012 of the Chief Secretariat (Education), condition no.3



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stipulates that in the category "International (Representing India)" the competent authority is the Secretary – General of the Official National Sports Federation (recognized by Indian Olympic Association and Ministry of Youth Affairs and Sports). Hence the Expert Committee opined that Atya Patya game in which the petitioner's son participated was not even recognized by the Indian Olympic Association as on date and hence he cannot claim 500 marks as per the said Government Order and in the light of the guidelines, 350 marks was awarded to the petitioner's son and the allotment of marks to the petitioner's son is perfectly in tune with the relevant guidelines. Hence, the impugned order warrants no interference.

9.The writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

22.10.2024

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No



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To

- 1.The Government of Puducherry,
Represented by its Secretary to Government,
Department of Higher and Technical Education,
Government of Puducherry,
Puducherry – 605 001.
- 2.The Director,
Department of Health and Family Welfare Services/
Nodal Officer - NEET (UG),
Government of Puducherry,
Puducherry – 605 001.
- 3.The Centralized Admission Committee
Government of Puducherry,
Represented by its Convenor,
Kamaraj Mani Mandapam,
Lawspet,
Puducherry – 605 008.
- 4.National Medical Commission,
Represented by its President,
No.14, Sector-8,
Dwaraka,
New Delhi – 110 077.
- 5.M/s.Director of Sports and Youth Affairs
Represented by its Director
III Floor, 'b' Block,
Perunthalaivar Kamarajar Centenary Education, Complex,
Anna Nagar,
Puducherry – 605 005.



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And
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