

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2024

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.26731 of 2024

Braghan Vishrudh V.S.

Versus

.... Petitioner

1. Union of India
Rep. by its Secretary to the Government,
Ministry of Education,
122-C, Shastri Bhawan,
New Delhi – 110 001.

2. The National Medical Commission
Pocket 14, Sector – 8,
Dwaraka Phase – I,
New Delhi – 110 077.

3. National Testing Agency,
National Eligibility cum Entrance Test,
First Floor,
NSIC-MDBP Building,
Okhla Industrial Estate,
New Delhi – 110 020.

4. State of Tamil Nadu
Rep. by its Secretary to the Government
Backward Classes,
Most Backward Classes and
Minority Welfare Department,
Fort. St. George,
Chennai – 600 009.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the 3rd respondent to consider the e-mail representation dated 15.08.2024 for considering the candidature of the petitioner under OBC category, sent to the 3rd respondent, within a time frame that may be fixed by this Court and permit the petitioner to participate in the counselling for the NEET UG courses 2024.

For Petitioner	: Mr.A.V. Arun and Mr.M.A. Aruneshe
For Respondents	: Mr.AR.L. Sundaresan, Addl. Solicitor General Assisted by Mr. R. Siddharth for R1 Mrs.Shubaranjani Ananth for R2 Mr.L.S.M. Hasan Fizal, Addl. Govt. Pleader for R4

ORDER

By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2. It is the case of the petitioner that he hails from the category of Other Backward Community (OBC), but the same has been mentioned as “General” in the NEET mark sheet, dated 26.07.2024. Therefore, he sent an e-mail representation, through his mother, stating that his candidature may be considered under the category of OBC, to the 3rd respondent on 15.08.2024. However, no reply was received from the respondents, hence this writ petition has been filed with the aforesaid prayer.

3. Learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the 3rd respondent to consider the petitioner's representation dated 15.08.2024, forthwith.

4. Mr.AR.L. Sundaresan, learned Additional Solicitor General appearing for the 1st respondent has no objection for such an order being passed and he fairly conceded that the said representation of the petitioner will be considered by the 3rd respondent on merits and in accordance with the law, within the time stipulated by this Court.

5. Considering the limited relief sought for by the petitioner, this Court without expressing any opinion on the merits of the case directs the 3rd respondent to consider the petitioner's representation dated 15.08.2024, and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this writ petition stands disposed of.
No costs.

09.09.2024

Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To

1. The Secretary to the Government,
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M.DHANDAPANI, J.

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