



WEB COPY



W.P.No.160 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.160 of 2023

Dr.Pavithren. T

... Petitioner

Vs.

Centralized Admission Committee (CENTAC),
By its Convenor,
PEC Campus, Pillaichavadi,
Pondicherry – 605103.

... Respondent

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the respondent to include the petitioner in the list of candidates in MOP UP Round and offer a seat on the basis of his marks or in the Alternative Direct the Respondent to make good the monetary loss to the Petitioner being the Differential fee between Government Quota and Management Quota.

For Petitioner : Mr. J.Srinivasa Mohan for
M/s.TVJ Associates

For Respondent : Mr.A.Tamilvanan,
Additional Government Pleader
(Puducherry)



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ORDER

The relief sought for in the present writ petition is to direct the respondent to include the petitioner in the list of candidates in MOP UP Round and offer a seat on the basis of his marks or direct the respondent to make good the monetary loss to the petitioner being the Differential fee between Government Quota and Management Quota.

2. The Hon'ble Supreme Court of India passed an order in Writ Petition (Civil) No.174 of 2022, dated 31.03.2022 as follows:

“3. The following directions are issued in order to facilitate the completion of the counseling process for the NEET - PG 2021-2022:

(i) The All India Quota² mop-up round of counseling shall stand cancelled;

(ii) For the 146 additional seats which became available after AIQ round 2 on 16 March 2022, a fresh round of counseling shall be conducted as a special case. Students who have joined in round 2 either of the state quota or of the AIQ, will be at liberty to participate in the fresh round of counseling without any financial penalties;

(iii) In order to facilitate the expeditious completion of the



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process, the DGHS shall invite options from students for the 146 new seats within twenty-four hours of the uploading of the notification and the process shall be completed within a period of seventy-two hours after the cut of for receipt of options;

(iv) A fresh mop-up round for AIQ seats shall be conducted and an endeavour shall be made to complete the process within a period of two weeks; and

(v) In line with the regulations which have been notified on 5 April 2018, students who have joined in round 2 of the state quota or round 2 of the AIQ shall not be eligible to participate in the mop-up round for All India Quota.

4. The above directions have been issued in pursuance of the jurisdiction of this Court under Article 142 of the Constitution to resolve the imbroglio which has arisen due to the anomalies which were noticed in the order of this Court dated 30 March 2022.

5. The Petitions are disposed of in the above terms.”

3. In view of Paragraph No.3(v) of the judgement cited supra, the



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petitioner is not eligible to participate in the MOP-UP round for All India Quota. More so, the writ petition was filed for securing admission for the academic year 2022-2023. Admissions were already completed and that being the factum, the relief as such sought for cannot be considered.

4. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

04.04.2024

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)



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S.M.SUBRAMANIAM. J.,

(sha)

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