



WP(MD). No.24726 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 24/10/2024

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The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.24726 of 2024 and
WMP(MD) No.21036 of 2024**

Deepesh Priyan

... Petitioner

Vs

1. The Union of India,
Represented by its Secretary to Government,
Ministry of Higher Education,
New Delhi..

2. The Secretary,
National Testing Agency,
National Eligibility Cum Entrance Test(UG),
Department of Higher Education,
MHRD,NSIC -MDPP Building Okla
Industrial Estate Phase III
New Delhi.

3. The Member Secretary,
The Medical Counselling Committee(MCC),
Raj Path Area, Central Secretariat,
New Delhi - 110001.

4. The Secretary,
Health and Family Welfare Department,
Secretariat, Fort George,
Chennai ..

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to allot one medical seat to the petitioner based on the petitioner's previous mark sheet issued by the 2nd respondent dated on 26.07.2024 within time frame fixed by this Court.

For Petitioner : Mr.M..Prabu

For Respondents : Mr.K.Govindarajan for R1 & R3
Deputy Solicitor General for
Ms.B.Deepa

Mr.P.Karthik for R2
Mr.T.Amjad Khan for R4

ORDER

The writ petition has been filed for a mandamus to direct the respondents to allot one medical seat to the petitioner based on the petitioner's previous mark sheet issued by the 2nd respondent dated on 26.07.2024 within time frame fixed by this Court.

2. It is the specific case of the petitioner that the petitioner has applied and written the National Eligibility cum Entrance Test conducted by the National Testing Agency on May 5th 2024 and the results were

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published during June 2024. As per the mark sheet issued by the 2nd respondent, his mark is shown as 676 out of 720 marks. However, during counselling conducted the 3rd respondent, he has not been allotted any seat in MBBS/BDS.

3. The learned Deputy Solicitor General appearing for the respondents 1 and 3, by producing the OMR sheet and original mark sheet before this Court, would submit that the petitioner has secured only 361 out of 720 marks. According to his instructions, the earlier mark sheet, which was annexed in the typed set of papers, is a fabricated one.

4. The learned counsel for the petitioner, at this juncture, would submit that he has not disputed the OMR sheet produced before this Court and when this Court is about to pass an order, the learned counsel seeks permission of this Court to withdraw the writ petition. He has also made an endorsement to that effect.

6. Though the issue is very serious, ie., fabrication of mark sheets, having considered the future of the young medical aspirant, this Court is



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not inclined to order any investigation. Let the petitioner be careful in future before filing this type of writ petitions.

7. In view of the submission and endorsement so made, the writ petition is dismissed as withdrawn. It is open to the respondents to conduct independent enquiry in this matter to find out the source of such fabrication of the mark sheets. No costs. Consequently connected Miscellaneous Petition is closed.

24.10.2024

RR

TO

4. The Secretary,
Health and Family Welfare Department,
Secretariat,
Fort George,
Chennai



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N.SATHISH KUMAR,J

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**ORDER
IN
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Date : 24/10/2024