



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26-03-2025

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THE HONOURABLE MRS JUSTICE N. MALA

WP No. 6071 of 2025

and

WMP. Nos. 6670, 6706 and 6708 of 2025

Dr.J.Balaji, M.B.B.S.,

..Petitioner

Vs

1. The Union Of India

Represented By The Secretary,
Ministry Of Health And Family Welfare,
Nirman Bhawan, New Delhi 110 011

2. The Medical Counselling Committee (MCC)

Directorate General Of Health Services,
Ministry Of Health And Family Welfare,
Government Of India, New Delhi 110 011

3. The State Of Tamil Nadu

Represented By Its Secretary,
Health And Family Welfare Department,
Fort St. George Chennai 600 009

4. The Tamil Nadu Neet PG Selection Committee

Directorate Of Medical Education,
Government Of Tamil Nadu,
Kilpauk, Chennai 600 010

5. The National Medical Commission

Represented By Its Secretary,
Pocket 14, Sector 8 Dwaraka,
New Delhi 110 077

6. Director (admissions)

Kasturba Medical College,
Manipal Academy Of Higher Education Madhav Nagar,
Manipal 576 104

..Respondents



Prayer : Writ Petition is filed under Article 226 of Constitution of India for issuance of writ of certiorarified mandamus, calling for records of the impugned order of Provisional list of candidates allotted on 10.02.2025 for Post Graduate Medical (management quota) Course Session 2024-2025 published by the Tamil Nadu NEET-PG Selection Committee/4th respondent and to quash the same being arbitrary having delisted the petitioner from participating in the third round and consequentially direct the Tamil Nadu NEET-PG Selection Committee/4th respondent to allot the petitioner a management quota seat in MD General Medicine under Tamil Nadu State quota in any appropriate college as per his eligibility and entitlement criteria.

For Petitioner: Mr. Thirumalai Rajagopal

For Respondents: Mr.K.Srinivasamurthy, SPCCG- R1 & R2

Mr.E.Sundaram, GA – R3

Mrs. M.Sneha, Standing Counsel – R4

Mrs.Subharanjani Anand, Standing Counsel – R5

Mr.Arun Anbumanai - R6

ORDER

This writ petition is filed to quash the provisional list dated 10.02.2025 allotting the candidates for Post Graduate Medical Course (management quota) for the Session 2024-2025 and to direct the Tamil Nadu NEET-PG Selection Committee/4th respondent to allot the petitioner management quota seat in MD General Medicine under Tamil Nadu State quota in any appropriate college as per his eligibility and entitlement.

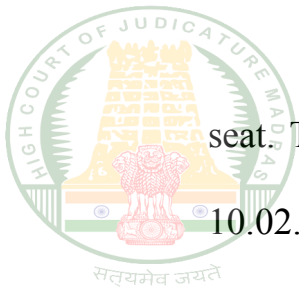
2. Learned counsel for the petitioner submitted that the petitioner appeared for NEET-PG and secured 82.5% and an All India Rank of 37,924.

The petitioner applied for both Government and Management Quota seats



under the All India Quota (AIQ) and Tamil Nadu State Quota and paid the prescribed fees for both. As per Clause 1.7 of the NEET-PG Counselling Guidelines 2024, all states were required to synchronize their counselling schedules with the All India Quota to ensure fairness. The petitioner joined MD Anaesthesiology at Amrita Institute of Medical Sciences, Kochi, under the All India Quota second round but opted for upgradation in the All India Quota third round and simultaneously applied for the Tamil Nadu NEET-PG third round. AIQ third round results were declared on 02.02.2025, and the petitioner was allotted MD Anaesthesiology at Kasturba Medical College, Manipal, with a joining deadline of 07.02.2025. Since the NEET-PG third round results were delayed until 10.02.2025, the petitioner was forced to join AIQ's third round against his preference. Due to lack of coordination between AIQ and the Tamil Nadu NEET-PG Selection Committee, the petitioner was deprived of joining a better course in a better college under the Tamil Nadu Management quota. The petitioner in his support relied on the decision of the Hon'ble Supreme Court in Contempt Petition No. 289 of 2022, dated 22.07.2022, wherein the Hon'ble Supreme Court directed adoption of uniform synchronization of State and AIQ counselling rounds.

3. Learned counsel for the petitioner further submitted that, due to the delay in publishing the third round counselling results under the Tamil Nadu quota, the petitioner could not secure his preferred MD General Medicine



seat. The allotment list of the Tamil Nadu Management quota, published on 10.02.2025, showed that candidates who secured fewer marks than the petitioner were allotted MD General Medicine seats. Hence, the said allotment list under the Tamil Nadu Management quota deserved to be quashed.

4. Per contra, the learned standing counsel appearing for the 1st and 2nd respondents relied on the Medical Counselling Scheme and submitted that, as per Clause (b) of the MCC of DGHS Guidelines, *“If any candidate does not join the Round 3 seat, he may exit with forfeiture of the security deposit and elimination (cannot participate in further rounds of counselling conducted by MCC, DGHS).”* Since the petitioner was allotted a seat in the third round of the All India Quota, as per the above Clause (b) of the MCC of DGHS Guidelines, the petitioner had to exit with forfeiture of the security deposit.

5. Learned counsel for the 1st and 2nd respondents further submitted that, after the completion of selection, the DGHS would share the data of candidates who joined in Rounds 1, 2, and 3 of counselling with all the participating States. Similarly, the participating States would also share the data of the joined candidates. Therefore, candidates who have joined in Round 3 of the State counselling would be filtered and weeded out before processing the AIQ Stray Vacancy round of counselling.



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6. The learned standing counsel for the 4th respondent/Tamil Nadu NEET-PG Selection Committee, strongly relied on the Round III counselling schedule for PG Degree/Diploma Courses for the 2024–2025, session and submitted that, as per the said schedule, the petitioner, having participated in Round 3 of AIQ and having been allotted an MD Anaesthesiology seat in Manipal, became ineligible to participate in Round 3 of the State Counselling. Hence, the allotment list published on 10.02.2025 did not require any interference by this Court.

7. Heard both sides and perused the materials available on record.

8. The facts of the case are not disputed. The petitioner applied for both Government and Management quota seats under the All India Quota (AIQ) and the Tamil Nadu State Quota, having secured 82.5% and an All India Rank of 37,924, the petitioner participated in the first round of the All India Quota but opted for the free exit option and subsequently participated in the second round of both the All India Quota and the Tamil Nadu State Quota. The petitioner was not allotted a seat in the Tamil Nadu NEET-PG second round. Though he was allotted MD Anaesthesiology at Amrita Institute of Medical Sciences, Kochi under AIQ in the second round, he opted for upgradation in the AIQ third round while simultaneously applying for the third round under



the Tamil Nadu quota. As per the results published on 27.01.2025, the petitioner was again allotted MD Anaesthesiology, at Kasturba Medical College, Manipal, and he also joined the said college. Under the MCC Guidelines, the candidates who are allotted a seat and joined under the All India Quota Round 3, would be blocked from further participation, both under AIQ stray quota and Round 3 of the State quota.

9. Upon careful consideration of the records and the submissions made by the learned counsel appearing for the parties concerned, it is clear that the petitioner had voluntarily opted for upgradation in the third round of All India Quota (AIQ) counselling and was allotted an MD Anaesthesiology seat, at Kasturba Medical College, Manipal, which he accepted and joined. In doing so, the petitioner completed the AIQ Round 3 process, thereby attracting the bar under Clause (b) of the MCC Guidelines, which explicitly states that candidates who joined a seat in AIQ Round 3 become ineligible to participate in further rounds of State counselling.

10. Although, the petitioner relied on the decision of the Hon'ble Supreme Court, in a Contempt case concurring the implementation of a uniform synchronization policy-mandating coordination between AIQ and State counselling schedules the petitioner, despite being fully aware of the deadlines and available options, chose to



secure admission under AIQ Round 3. The petitioner having joined in AIQ round, his name was shared in the "joined candidates list" by DGHS, which automatically barred his further participation in the State counselling process.

Therefore, the petitioner's challenge to the Tamil Nadu Management Quota allotment list dated 10.02.2025, on the ground of non-allotment of a preferred seat, is without merit. The procedure adopted by the Tamil Nadu NEET-PG Selection Committee is in accordance with the prevailing guidelines and does not warrant interference by this Court.

11. In the result, the writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

26.03.2025

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Index: Yes/No
Internet : Yes/No
Neutral Citation : Yes/ No
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Directorate General Of Health Services,
Ministry Of Health And Family Welfare,
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