



WP.No.14878 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

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1.R.Pream kumar
2.S.Uttham Singh
3.T.Abi
4.M.Tharaniraj
5.S.Suryaprakash
6.M.Sanjay

... Petitioners

Vs

The National Medical Commission,
Represented by its Secretary,
Pocket-14, Sector-8 Dwarka,
Phase-I, New Delhi 110 077

... Respondent

Prayer :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to alter the default setting in the online application form to obtain an eligibility certificate by giving options for fulfilling the year of commencement of medical course therein so that the petitioners may be able to apply for

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eligibility certificate as is mandatory for applying for the screening test and consequently to issue the eligibility certificate in the favour of the petitioners.

For Petitioners : Mr.K.K.Ram Siddhartha
for Mr.S.Sivakumar

For Respondent : Mrs.Subharanjani Ananth,
Standing Counsel

ORDER

This writ petition has been filed for direction to the respondent to alter the default setting in the online application form to obtain eligibility certificate by giving options for fulfilling the year of commencement of medical course therein so that the petitioners may be able to apply for eligibility certificate as it is mandatory for applying for the screening test and consequently to issue eligibility certificate.

2. The petitioners are permanent residents of India and they were temporarily staying in Phillipines to complete their medical degree. The respondent regulates medical professionals, institutes, and research. The respondents commission grants recognition of medical



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qualifications, gives accreditation to medical schools, grants registration to medical practitioners, monitors medical practice and assesses the medical infrastructure in India. While being so, as per the amendment dated 01.03.2018, in the Screening Test Regulations, 2002 in clause No.4(2)(A) Indian Citizens / Overseas Citizens of India intending to obtain primary medical qualification from any medical institution outside India, on or after 2008, shall have to mandatorily qualify the National Eligibility cum Entrance Test for admission to MBBS course which shall be deemed to be treated as eligibility certificate for such persons, provided that such persons fulfil the eligibility criteria for admission to MBBS course prescribed in the Regulations on Graduate Medical Education, 1997. The petitioners, after completion of their qualification in senior secondary in school had joined integrated medical courses in the university of Perpetual Help System, Las Pinas City, Phillipines. After completion of their degree, they had joined in their MD programme. As per the public notice, it was declared that Indian Citizens who had not registered for NEET 2018, were allowed to take admission in MBBS or equivalent course in any medical university outside the country in the academic year 2018-19. However, they are required to



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obtain eligibility certificate from the Medical Council of India. Further, by the public notice dated 07.12.2023, all those who have left Indian shores for pursuing medical course for the academic year 2018-19 in terms of the amendment dated 01.03.2018 to the Screening Test Regulations, 2002 and eligibility requirement for taking admission in an undergraduate medical course in a Foreign Medical Institution Regulation, 2002. Therefore, the petitioners are eligible to appear in the Foreign Medical Graduate Examination to be eligible to practice medicine in India. Therefore, they are not required to obtain eligibility certificate to appear in the said examination. Hence, they applied for eligible certificate. However, except the second petitioner's application, other applications were returned for want of some queries.

3. The learned Standing Counsel appearing for the respondent submitted the status of the petitioners' applications. Since one of the petitioners herein has qualified in NEET, 2018 it shall be deemed to be treated as eligibility certificate for such persons, provided that such persons fulfil the eligibility criteria for admission to the MBBS course prescribed in



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the Regulations on Graduate Medical Education, 1997. Insofar as the other petitioners are concerned, their applications were returned and directed them to resubmit the same through offline mode by rectifying the defects.

4. In view of the above, the petitioners concerned are directed to resubmit their applications through offline as per the schedule after rectifying the defects as noted down by the respondent within a period of four weeks from the date of receipt of this order. On receipt of the same, the respondent is directed to issue eligibility certificate within a period of four weeks thereafter.

5. With the above direction, this writ petition stands disposed of. There shall be no order as to costs.

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Index: Yes/No

Neutral citation: Yes/No

Speaking/Non speaking

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To
1.The National Medical Commission,
Represented by its Secretary,
Pocket-14, Sector-8 Dwarka,
Phase-I, New Delhi 110 077
2.The Government Advocate
High Court of Madras

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