



W.P.No.14692 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2025

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THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.14692 of 2025 &
WMP.Nos.16591 & 16595 of 2025

Mitgur Prabal.R

... Petitioner

Vs.

1. The State Of Tamil Nadu
Rep By The Additional Chief Secretary to Government,
Health And Family Welfare Department, Chennai-600 009
2. The Directorate Of Medical Education And Research,
Rep By Its Director, Kilpauk, Chennai-600 010
3. The Selection Committee
Rep By Additional Director Of Medical Education And Research,
Secretary(i/ C), Directorate Of Medical Education And Research,
Kilpauk, Chennai-600 010
4. The Tamil Nadu Dr.Mgr Medical University
Rep By Its Secretary, Guindy, Chennai-600 032
5. Karpagam Faculty Of Medical Sciences And Research,
Rep By Its Dean, Pollachi Main Road, Othakkalmandapam Post,
Coimbatore-641 032
.... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records in connection with the third respondent proceedings in Ref.No.231/SCSI [1] /2024 dated 11.04.2025 and quash the same as illegal and consequently direct the second, third, fourth and fifth respondents to permit the petitioner to continue his MBBS Course in allotted seat with the fifth respondent college.

For Petitioner ... Mr.S.Prabakaran, Senior Advocate
Mr.Ma.Gouthaman

For Respondents ... Mr.K.Tippusultan
Government Advocate for R1 & R2

Mr.G.Arumugam – R4

ORDER

This Writ Petition has been filed to quash proceedings of the third respondent in Ref.No.231/SCSI [1] /2024 dated 11.04.2025 as illegal and consequently direct the respondents 2 to 4 to permit the petitioner to continue his MBBS Course in the allotted seat with the fifth respondent college.



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2. It is the case of the petitioner that he had completed his X standard in the year 2022 and higher secondary examination in the year 2024. He applied for national eligibility entrance examination in the year 2024 and cleared the same by securing 79.36% marks.

3. Desirous of joining a medical course, he requested his maternal uncle Mr.Prakash Gopalsamy in Netherland to sponsor him under the NRI quota. After obtaining necessary documents, he approached a consultancy agency for uploading the application. The agency also uploaded the application and the petitioner secured a seat under the NRI category with the fifth respondent – Kamalam Faculty of Medical Sciences and Research, Coimbatore. On being admitted, the petitioner paid a sum of Rs.24,50,000/- for the academic period 2024 – 2029.

4. A notice was issued by the Selection Committee to the petitioner stating that the admission of the petitioner was based on fraudulent documents. This was on the basis of verification of the certificates issued



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to the petitioner by the Embassy in India in Singapore. The petitioner pleads that he was unable to understand how the Netherland's NRI Certificate came to be verified by the embassy in Singapore. Therefore, he caused an enquiry. At that stage, he came to know that the agency had uploaded some other fraudulent documents and not the documents given by the petitioner to the agency.

5. The petitioner states that he filed a Writ Petition in W.P.No.9907 of 2024 challenging the show cause notice. During the pendency of the Writ Petition, his admission was canceled by an Order dated 04.03.2025. The Writ Petition filed by the petitioner came to be allowed on 20.03.2025 directing the respondents to consider the explanation made by the petitioner and pass fresh Orders within a period of four weeks. The third respondent has passed an Order canceling the admission of the petitioner. Challenging the same, the present Writ Petition.



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6. I heard Mr.S.Prabakaran, Senior Counsel for Ma.Gowthaman appearing for the petitioner and Mr.Tippusultan, learned Government Advocate for the first and second respondents.

7. Narration of the aforesaid facts show that the petitioner had uploaded the Netherland's documents for the purpose of his admission.. The documents available with the third respondent are those which had been uploaded at the instance of the petitioner's relative sponsored by NRI based out of Singapore. These documents have been found to be fraudulent. Hence, in terms of the prospectus that had been issued by the third respondent/selection committee, if the documents that are produced are fake or are found to be acts of fraud, admission is liable to be canceled at any moment. The fact that the petitioner had given original documents to the agency and the agency had uploaded some other documents cannot be a ground for setting aside the impugned Order. The petitioner had secured admission on the basis of the forged documents. Hence, I do not find any mistake in the impugned order.



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8. Accordingly, the Writ Petition stands dismissed. No costs.

9. At this stage, Mr.Prabakaran pleads that the dismissal of the Writ Petition will not stand in the way of the petitioner applying afresh for the medical course all over again.

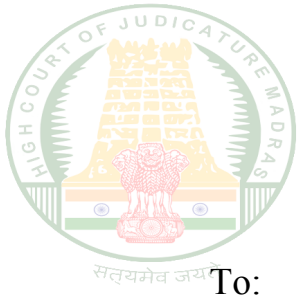
10. The prospectus does not bar a student from applying afresh, since for the sin committed by the agency, the petitioner cannot crucified. It is always open for the petitioner to apply afresh and if the documents produced by the petitioner are genuine, the petitioner's application will considered on its own merits. The fifth respondent shall return the original certificates of the petitioner as his admission has been cancelled.

16.05.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
NCC: Yes/No

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To:

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V.LAKSHMINARAYANAN,J.

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