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W.P.No.19063 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.19063 of 2025

S.Hariraj

... Petitioner

Vs.

- 1.The National Medical Commission,
Rep. by its Register
Pocket 14, Dwarka,
New Delhi.
- 2.The Secretary,
Selection Committee,
Directorate of Medical Education,
No. 162, Periyar E.V.E High Road,
Kilpauk, Chennai – 600 010.
- 3.The Director,
Jawaharlal Institute of Post Graduate,
Medical Education & Research,
JIPMER Campus Road,
Dhanavantari Nagar, Puducherry.
- 4.The Dean,
Regional Medical General Hospital,
Chennai – 600 003.
- 5.M.Sivaji



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The Associate Professor,
Neurology,
Regional Medical Board,
Rajiv Gandhi General Hospital,
Chennai – 600 003.

6.K.Chitrarasu,
The Assistant Professor,
Physical Medicine and Rehabilitation,
Rajiv Gandhi General Hospital
Chennai – 600 003.

7.J.Pazhani
The Professor,
Ortho,
Regional Medical Board,
Rajiv Gandhi General Hospital,
Chennai – 600 003.

8.The Senior Director (NTA),
National Testing Agency,
National Medical Commission,
First Floor, NSIC-MDBP Building,
Okhla Industrial Estate,
New Delhi, Delhi 110020.

9.Ministry of Education,
Government of India,
302-C, Shastri Bhawan,
New Delhi.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1 and 2 respondents considering the petitioner representation dated 10.05.2025 for obtained score marks as NEET Admission Sc, 40th percentile, 161-127, SC-PWD, 40th percentile, 143-127 dated : 26.07.2024 as Neet Examination in the year of



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2023 – 2024 in Application Number is 240410236990, Roll Number is 41222010413, on the bases of “DOCTRINE of Relation Back is a Principle that something done today will be treated as if it were done earlier”.

For Petitioner : Mr.A.Murthy
For R1 : M/s.Shubharanjani Ananth
Standing Counsel
For R2 : Ms.M.Sneha
Standing Counsel
For R4 : Mr.K.Tippu Sultan
Government Advocate
For R3 and R5 to R8 : No Appearance

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the 1 and 2 respondents to consider the petitioner representation dated 10.05.2025 for obtained score marks as NEET Admission Sc, 40th percentile, 161-127, SC-PWD, 40th percentile, 143-127 dated : 26.07.2024 as NEET Examination in the year of 2023 – 2024 in Application Number is 240410236990, Roll Number is 41222010413, on the bases of “DOCTRINE of Relation Back is a Principle that something done



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today will be treated as if it were done earlier”.

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3. Heard the learned counsel for both sides and perused the materials available on record.

4. The petitioner has filed the present writ petition to consider the petitioner's eligibility mark of last year so as to admit the petitioner to the present year. The main contention put forth by the learned counsel for the petitioner is that when the petitioner was participated in the NEET Examination-2023-2024, he secured 158 marks, which comes within the merit to get admission in MBBS seat, whereas on the objection raised by the Official Respondents in respect of his disability, he was not admitted in MBBS Course. Hence, he preferred a writ petition in W.P.No.35089 of 2024 and based upon the order passed by this Court, now that JIPMER has given a Certificate stating that the petitioner is fit to be appointed for MBBS Course. Hence, the learned counsel for the petitioner would submit that he may be considered for MBBS seat with reference to his mark and eligibility criteria of the last year 2023-2024.

5. This submission was strongly objected by the learned Standing Counsel appearing for the 2nd respondent and would invite the attention of



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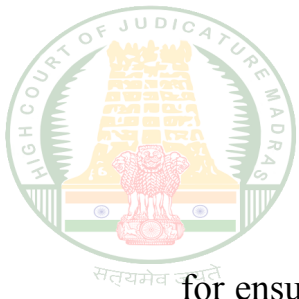
this Court about Paragraph No.7 of the order passed in W.P.No.35089 of 2024, dated 29.04.2025, for ready reference, the same is extracted hereunder:-

“7. Be that as it may, the petitioner has lost his rights of participation in the last year. Now, it is stated that the petitioner is appearing for NEET examination this year. Therefore, atleast for this year the petitioner should be in a position to secure a seat, in case he is successful in the NEET examination for the current year.”

6. Based upon the above observation, the learned Standing Counsel would contend that the present Medical Certificate would be used only for the NEET Admission for the year 2025-2026. Hence, prayed to dismiss the writ petition.

7. I have given my anxious consideration to the submissions made on either side.

8. As rightly contended by the learned Standing Counsel, the Medical Certificate dated 26.05.2025 has come into existence only based upon the order passed in W.P.No.35089 of 2024, dated 29.04.2025. When such order has been passed, this Court has categorically observed that the petitioner should not be put in verge in view of any dispute in respect of his disability



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for ensuing NEET examination, therefore, only on that protest, this Court has directed the JIPMER, Puducherry to give a Certificate and based on that, JIPMER has given certificate on 26.05.2025 confirming the fitness of the petitioner to join in MBBS Course. Therefore, as rightly contended by the learned Standing Counsel this certificate cannot give any retrospective right to the petitioner.

9. Thus, this Court do not find any merits in the present writ petition. Hence, the writ petition is dismissed. However, if the petitioner is otherwise qualifies for MBBS admission, his admission may be considered based upon the Medical Certificate given by the JIPMER, Puducherry, vide Certificate dated 26.05.2025. No costs.

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Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm



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C.KUMARAPPAN, J.

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