



WEB COPY

WP No. 29669 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 29669 of 2025

and

W.M.P.No.33265 of 2025

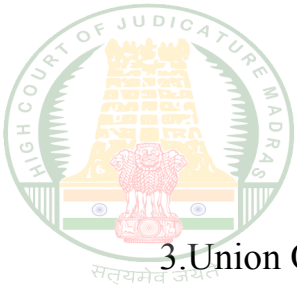
1. Master R.Chandru Minor
Rep By His Maternal Uncle, Proposed
Next Friend And Guardian,
Prem Anand, No.87, Nethaji Road,
Kurumbalur And Post, Perambalur
District-621 107.

Petitioner(s)

Vs

1. The State Of Tamilnadu
Rep By Its Secretary To Government,
Health And Family Welfare
Department, Fort St.George, Chennai-
600 009

2.The Selection Committee
Rep By Its Secretary Directorate Of
Medical Education, No.168, Periyar
EVR High Road, Kilpauk, Chennai-
600 010



3.Union Of India

Rep By Its Secretary, Ministry of
Human Resources Development,
Room No.316, All India Council For
Technical Education, Nelson Mandela
Marg, Vasant Kunj, New Delhi-110
070

4.The National Medical Commission
Pocket-14, Sector-8, Dwaraka, New
Delhi-110 077.

5.The Medical Counselling Committee
(MCC)

Rep By Director General Of Health
Services, Ministry Of Health And
Family Welfare, Nirman Bhwan, New
Delhi-110 001.

6.The Directorate Of General Of Health
Services

Rep By The Deputy Director General
Of Health Services, Ministry Of Health
And Family Welfare, Government Of
India, Nirman Bhawan, New Delhi-
110 001.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 and 2 herein to include the petitioner in the process of seat allotment in PwD-persons with Disability Category MBBS/BDS, in UG Degree course in Session 2025-26 Round-I and consequently add the petitioner's name in the publication of result.



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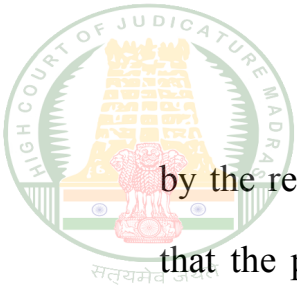
For Petitioner(s): Mr.K.S.Narayanan

For Respondent: (s) Mr.K.Tippu Sultan,
Government Advocate (for R1)
Mrs.M.Sneha, Standing Counsel
(for R2)
Mrs.V.Sudha, Standing Counsel
(for R3)
Ms. Shubharanjani Ananth (for R4)

ORDER

The instant writ petition has been filed with a prayer for issuing a mandamus directing the first and second respondents herein to include the petitioner in the process of seat allotment in the, Persons with Disability Category for MBBS/BDS in UG Degree course for the session 2025-26, Round-I, and consequently, to add the petitioner's name in the publication of the result.

2. The learned counsel for the petitioner would submit that the petitioner has a benchmark disability of 40%, whereas the Board, which was constituted as per the Prospectus for Admission to MBBS/BDS Degree Course for the year 2025-2026 session, has assessed it at 16%, as a concomitant has not considered the petitioner under the Persons with Disability Quota. It is the further submission of the learned counsel for the petitioner that, when the District Medical Board had given a disability assessment of 40%, the Board constituted

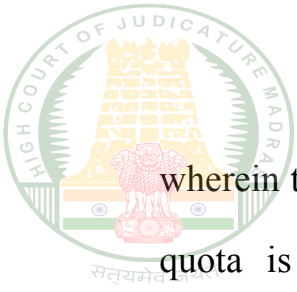


by the respondents ought not to have reduced it to 16%. Therefore, contended that the petitioner's legitimate right to have a medical seat under the Persons with Disability Category has been denied. Hence, the petitioner prays to interfere with the same.

3. The said submission was stoutly objected to by the learned Special Counsel appearing for the second respondent, and would submit that the counselling for Disability Quota was over on 30.07.2025. Therefore, contend that even if any re-assessment of disability is made, it would not in no way help full to the petitioner. It is the further submission of the learned Special Counsel that the petitioner downloaded the certificate of the Medical Board assessment on 25.07.2025, which is evident from the certificate itself, as the download date and time are mentioned. Having downloaded it on 25.07.2025, the petitioner took his own time and approached this Court with delay, and that this Court cannot pass any order for fresh counselling for the petitioner alone, as it would be in contravention of the directions issued by the Hon'ble Supreme Court of India.

4. I have given my anxious consideration to either side submissions.

5. The short point to be considered is whether the petitioner could be permitted for counselling under the Persons with Disability Quota. The counselling schedule for the special category was published on 25.07.2025,



wherein the last date for counselling under special category, including disability quota is mentioned as 30.07.2025. It is pertinent to mention that these counselling schedules had been fixed by the National Medical Commission guideline and was approved by the Hon'ble Supreme Court of India.

6. Here the petitioner approached this Court after the counselling was over, though he had sufficient time to approach this Court as he knew the reduction of disability percentage as early as on 25.07.2025 itself. Therefore, this Court is of the firm view that the interference in the counselling schedule cannot be done by this Court while exercising the power of judicial review. Hence, though the petitioner challenges the disability assessment, this Court finds no purpose in directing the petitioner to have a third-party medical expert assessment, as the counselling has already been completed.

7. In view of the above detailed discussion, this Court does not find any merit, and this writ petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

06-08-2025

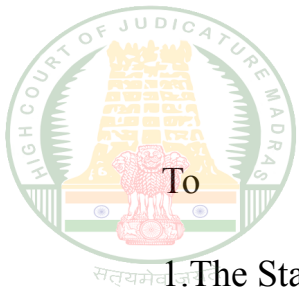
Kv

Note: Issue order copy by 06.08.2025.

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



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C.KUMARAPPAN J.
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