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W.P.No.30897 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM

THE HONOURABLE Mr. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.30897 of 2025

and

WMP.Nos.34614 & 34615 of 2025

The Pondicherry Institute of Medical Sciences,
Represented by its Chairman,
Kalapet, Puducherry - 605 014

... Petitioner

Vs.

1.The Government of Puducherry,
Represented by its Under Secretary to Government (Health-II),
Health Secretariat, Puducherry.

2. Centralized Admission Committee (CENTAC),
Represented by Coordinator,
Directorate of Higher and Technical Education,
Kamarajar Manimandapam, Karuvadikuppam,
Puducherry 605 008.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Certiorified Mandamus, calling for the
records of the 1st Respondent in impugned seat matrix dated 08.08.2025 in
reference no. 27209/Health/H5/2025-26, quash the same and consequently



W.P.No.30897 of 2025

direct the 2nd Respondent counselling authority to conduct the counselling for admission of students in the MBBS course for the academic year 2025-26 in the Petitioner Institution by treating 70 seats as government quota seats, 62 seats as All India management quota seats and 18 seats as NRI quota seats.

For Petitioner : M/s.Abishek Jenasenan

For Respondents : Mr.J.Kumaran, AGP (Pondy)

ORDER

The Writ Petition has been filed challenging the seat matrix issued by the 1st respondent dated 08.08.2025, thereby providing the seat matrix for the petitioner institution under the status of a minority institution.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner institution was established in the year 2000 as a religious (Christian) Minority Institution to impart quality education in the field of Medicine. The right of minority educational institutions to



W.P.No.30897 of 2025

preferably admit students of their community is no longer res integra.

Therefore, the reservation of seats for minority candidates is detrimental to the institution itself and does not serve the needs of either the minority or the general student community. Hence, the petitioner institution submitted a letter dated 09.07.2025 to the 1st respondent for withdrawing from/ surrendering the religious minority status (Christian) and made a request to the 1st respondent to treat the petitioner institution as a non minority institution. However, without considering the same, the 1st respondent has allotted seat matrix to the petitioner institution under the minority status.

4. The learned Additional Government Pleader (Pondicherry) appearing on behalf of the respondents would submit that in order to cancel the minority status of the petitioner institution, the power vested with the National Commission for Minority Educational Institutions governed by the National Commission for Minority Education Institutions Act 2004 (hereinafter referred to as the "Act"), as per Section 11 (b) of the Act, the Commission shall enquire suo motu on a petition presented to it by any Minority Educational Institution or any person on its behalf into complaints regarding deprivation or violation of rights of minorities to establish and administer educational institutions of their choice and any



W.P.No.30897 of 2025

dispute relating to affiliation to a University and report its finding to the appropriate Government for its implementation and as per Section 11 (f) of the Act the Commission decide all questions relating to the status of any institution as a Minority Educational Institution and declare its status as such. Therefore, the respondents have no jurisdiction or power to cancel the minority status of the petitioner institution.

5. The learned counsel for the petitioner would submit that now the petitioner wants to give up its minority status in exercise of its right conferred under Article 30(1) of the Constitution of India. The Hon'ble Supreme Court of India held in the case of *Aligarh Muslim University Vs. Naresh Agarwal and others reported in (2025) 6 SCC 1* that an educational institution established by a minority, whether linguistic or religious, can give up their right to claim the benefit under clause (1) of Article 30. The right can be given up consciously by waiver. In the case on hand, the petitioner itself wants to give up its right as a minority institution. Therefore, the respondents ought to have considered the representation made by the petitioner and allotted the seat matrix by treating the petitioner institution as a non minority institution.



W.P.No.30897 of 2025

WEB COPY

6. The Hon'ble Supreme Court in the case of *T.M.A. Pai Foundation Vs. State of Karnataka reported in (2002) 8 SCC 481* held that there cannot be fixation of ceiling of 50% for preferential admission of student belonging to the minority community and depending upon level of the Institution, whether it is primary or secondary or high school or a college, professional or otherwise and on the population and education needs of the area in which the Institution is located, the State will properly balance the interests of all by providing for such a percentage of students of the minority community to be admitted, so as to adequately serve the interest of the community for which the Institution was established. Therefore, the seat matrix issued by the 1st respondent is against the criteria laid down by the Hon'ble Supreme Court of India.

7. In view of the above, the impugned seat matrix issued by the 1st respondent for the academic year 2025-26 dated 08.08.2025 cannot be sustained and is liable to be set aside and is accordingly set aside. It is made clear that whatever the admission already made by the petitioner institution shall not be disturbed and the seat matrix issued by the 1st respondent shall not be applicable to the petitioner institution for future admissions. The respondents are directed to treat the petitioner institution



as a non-minority institution.

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8. Accordingly, the Writ Petition is allowed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

22.09.2025

Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

1.The Government of Puducherry,
Represented by its Under Secretary to Government (Health-II),
Health Secretariat, Puducherry.

2.Centralized Admission Committee (CENTAC),
Represented by Coordinator,
Directorate of Higher and Technical Education,
Kamarajar Manimandapam, Karuvadikuppam,
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WEB COPY



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