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WP No. 43091 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 43091 of 2025
and WMP No. 48243 of 2025**

T.Varun

Petitioner(s)

Vs

1. The Member Secretary
Medical Counselling Committee(MCC),
Directorate General of Health Services(DGHS),
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi-110 011

2.The Secretary
Selection Committee,
Directorate of Medical Education,
Kilpauk, Chennai-600 010

Respondent(s)

PRAAYER Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Declaration, declaring the Notification
No.40/SCS1(1)/2025 issued by the 2nd respondent herein in so far as curtailing



the writ petitioner from participating in the State Medical counselling conducted by the 2nd respondent as illegal, arbitrary and unconstitutional and consequentially seeking for a direction directing the 2nd respondent to permit the petitioner to participate in Round 4 of the Tamilnadu State Medical Counselling 2025-2026, without disqualifying the petitioner based on the provisional allotment and joining of ACS college under the MC All India Quota (Deemed University) Counselling.

For Petitioner(s): Mr.R.S. Pandiyaraj

For Respondent(s): Mr.K.K.Muralitharan
Central Government Standing Counsel for R1
Ms.M.Sneha
Special Counsel for R2

ORDER

This writ petition has been filed for a declaration to declare the notification dated 25.10.2025 issued by the 2nd respondent as illegal, arbitrary and unconstitutional and consequently for a direction to the 2nd respondents to permit the petitioner to participate in Round 4 of the Tamil Nadu State Medical Counselling 2025-2026 without disqualifying the petitioner based on the



provisional allotment and joining of ACS College under the MC All India Quota
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(Deemed University) Counselling.

2. When the matter was taken up for hearing today, it is brought to the notice of this Court that the Notice dated 28.10.2025 was issued by the Government of India, Directorate General of Health Services, Ministry of Health and Family Welfare and for proper appreciation, the same is extracted hereunder:

As per directions of Hon'ble Supreme Court of India in Contempt Petition No. 289 of 2022 in W.P No. 223 of 2022 Shubhankar Patnaik Vs. K. Ramesh Reddy & Ors. the filtering out of joined All India Quota candidates is mandatory in NEET UG Counselling.

In view of above, it is informed that the result of Round-3 of UG Counselling 2025 conducted by MCC has already been published and there is no provision of resignation in this round. Hence, all state counselling authorities are requested to weed out



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the joined candidates of AIQ Round-3 before seat processing of Round-3 of state counselling so that candidates already holding a seat in AIQ are not allotted any seat through state counselling.

State counselling authorities can download the list of joined candidates from the data sharing portal of MCC after 1st November 2025.

3.The grievance of the petitioner is that the results of the MCC Counselling was released on 20.10.2025, where the petitioner was provisionally allotted a seat at ACS Medical College, Chennai. The petitioner had also registered for the Tamil Nadu State Counselling, in which it was earlier informed that the candidates can register for Third Round till 05.00 PM on 12.10.2025 and can fill their choices and lock their choices from 05.00 PM on 13.10.2025 to 05.00 PM on 16.10.2025. However, the 2nd respondent further modified the counselling schedule by allowing the candidates to fill and lock their choices till 05.00 PM on 29.10.2025. Thereafter, the 2nd respondent again issued a Notification dated 25.10.2025 and extended the registration date up to



29.10.2025 and allowed the candidates to lock their choices until 05.00 PM of

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01.11.2025. This Notification also stated that the candidates who have joined under the All India Quota (MCC Deemed Universities) would not be eligible for the Third Round of Tamil Nadu Counselling.

4. According to the petitioner, as per the bulletin & Counselling Scheme issued by the 1st respondent, this petitioner is required to make a well-informed and calculated decision regarding the continuation in the Third Round of Counselling. This is because, as per the scheme a candidate who joins in the Third Round shall not be permitted to resign and participate in any subsequent counselling including the State or All India Stray Vacancy Rounds.

5. The petitioner's actual grievance is against the impugned notification of the 2nd respondent dated 01.11.2025, which extended the State Counselling and thereby, took away the rights of the petitioner's chance to take a wise decision and the petitioner was forced to accept the seat in the management quota in a



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Deemed University, whereas the candidates who have scored lesser marks than the petitioner have gotten an opportunity to study in better State Government quota medical colleges where the fees are relatively very less.

6. In view of the above, the case of the petitioner is that due to this sudden extension and the conflicting timeline between the 1st and 2nd respondents, the petitioner was automatically eliminated from participating in the Third Round of Counselling, even though the petitioner had received only a provisional allotment. As a result, the petitioner is compelled to pay an excessive tuition fee of Rs.25 Lakhs at ACS Medical College and whereas, the other candidates who secured lower NEET scores have been allotted seats in St. Peters Medical College, Hosur under Tamil Nadu Counselling, where the Tuition Fee is only Rs.15 Lakhs. Hence, the petitioner alleged that there is inconsistent and arbitrary action on the part of the respondents which has been put to challenge in the present writ petition.



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7.The reason for such extension of time has been explained in the notice that has been produced before this Court and which has been extracted *supra*.

8.In the considered view of this Court, the petitioner cannot assume that the entire system has ganged up and is acting against the petitioner. There may be many reasons for the authorities to take the decision to extend the time period and just because that did not workout in the way the petitioner had anticipated, that by itself will not render the notification as illegal or unconstitutional. A litigant cannot be permitted to approach this Court under Article 226 of the Constitution of India just because things did not move in the manner in which the petitioner had anticipated. Sometimes, the quirk of fate defies certain anticipations which we make in the present circumstances.

9.The grievance expressed by the petitioner in the present writ petition, at the best, can be termed to be a sheer bad luck for the petitioner and that will not



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give any cause of action for the petitioner to knock the doors of this Court and challenge the notification issued by the 2nd respondent.

10.This Court does not find any merits in this writ petition and accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

07-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

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N.ANAND VENKATESH J.

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