



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.44130 of 2025

and

W.M.P.No.49240 of 2025

G.Ganesh Kumar,
S/o P.Gandhi,
No.21, ECR Road, Pillai Chavadi,
Puducherry 605 014.

.. Petitioner

/versus/

1.The Union Territory of Puducherry,
Rep.by the Chief Secretary,
Chief Secretariate Buildings,
Beach Road, Puducherry.

2.The Secretary Education,
Government of Puducherry,
Chief Secretariate Buildings,
Beach Road, Puducherry.

3.The Under Secretary (Home),
Home Department,(Welfare Officer)
Government of Puducherry,
Chief Secretariate Buildings,
Beach Road, Puducherry.

4.The Director,
Education Department,
Government of Puducherry,
Anna Nagar, Puducherry.



5. The Center Co-ordinator,
CENTAC, Kamarajar Memorial Buildings,
Near Siva Statue, Puducherry.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 5th respondent CENTAC in Order No.M/5095/2025/CENTAC dated 08.09.2025/25D074 and quash the same and direct the 5th respondent to accurately calculate the 4% of FFQ at 16 seats in Medical admission for the academic year 2025-2026 and allot the 16th seat to the petitioner in any one of the 4 accredited colleges for admission for 1st year MBBS Medical admission.

For Petitioner :Mr.R.Ganesan

For Respondents :Mr.J.Kumaran, AGP(Pondy)
for R1 to R5

ORDER

The writ petition is filed for a Certiorarified Mandamus challenging the order passed by the 5th respondent dated 08.09.2025 and quash the same and consequently, direct the 5th respondent to recalculate the 4 % of Freedom Fighters Quota and allot the 16th seat to the petitioner in anyone of the 4 accredited colleges for admission for the first year MBBS and to pass such other orders.



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2. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support of the writ petition and the material records of the case, the grievance of the petitioner is that the petitioner, after clearing the higher secondary examination and participating in the NEET examination, got 260 marks out of 720. The petitioner is entitled to participate under the freedom fighters quota, being the ward of the freedom fighter. Accordingly, the relevant documents were uploaded and the petitioner candidature under the freedom fighters quota has been accommodated. According to the order of merit, the petitioner should have been accommodated in the 15th seat, that is meant within the 4% of freedom fighters quota. However, the petitioner was not granted admission. As a matter of fact, one M.Sharme, who has got only 202 marks, has been accommodated in the said seat, while the petitioner, who was scored 260 marks has been left out. Thus, the merit has been sacrificed and an erroneous selection has been made. Therefore, the petitioner has come before this Court.

3. In reply thereof, on behalf of the respondents-authorities, a type set of papers was filed in which it is pleaded that originally, as per the prospectus published and the advertisement made, the seat matrix of the



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entire MBBS seats, that is available, was published by the respondent on 08.08.2025 itself, even at the very commencement of the process of admission. It is categorically mentioned that the total number of seats available is 180 and the government quota is 131 and All India quota is 27 and NRI quota is 22. In this regard, the horizontal reservation in respect of freedom fighters was 5 seats and 4 seats were allotted to the Puducherry general category and one seat is allotted by way of regional reservation to Karaikal region. The 4 seats, which are meant for the general category, went only to the students under the freedom fighters quota, who have more marks than the petitioner. The only seat, which was earmarked under the regional reservation for Karaikal, cannot be given to the petitioner and the said M. Sharme, who applied under the regional reservation of Karaikal quota and who was also eligible to be considered under the freedom fighters quota was accommodated in the said seat and therefore, the Rule of merit is not violated and the admission is done purely as per the prospectus and the Rules that were contained in the prospectus.

4. In reply thereof, the learned counsel for the petitioner would raised two points. Firstly, the very regional reservation, that is made itself, is offensive against Article 15 of the Constitution of India as the



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residence cannot be a criteria for reservation. He would submit that when earlier the regional reservation was questioned before this Court in *Federation of Puducherry Parents-Students Affected by Regionwise Reservation v. Government of Pudcherry* reported in [(2010) 5 CTC 385(DB)), this Court upheld the same, only with reference to reservation for Karaikal, Yanam and Mahe alone while the seats that were earmarked for Puducherry was directed to be kept as general quota. The regional reservation was upheld only on the ground that there was no medical colleges in those regions. Now, the situation is also changed and all the regions cannot be said to be backward any more. Secondly, as far as the freedom fighters quota is concerned, the same is only by way of horizontal reservation and therefore, it could not have been vertically divided and allotted to Karaikal region and the very seat matrix, that is published by the respondents, is erroneous in law. Thirdly, with reference to the submission that is made that the entire admission is now over and alternative plea is also made that since the petitioner has got MBBS seat in the management quota, at least the fees can be made good and therefore, in this case the last date is not a bar, as an appropriate relief can be granted by this Court. In any event, it is also alternatively pleaded that the petitioner filed the earlier round of writ petition well within time and therefore, the same can be considered by this Court.



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5. In reply thereof, the learned Additional Government Pleader (Pondy) would place on record the judgement of the Honourable Supreme Court of India in *S.Krishna Sradha v. State of Andhra Pradesh and others* reported in [(2020) 17 SCC 465]; contended that no relief can be granted by this Court after the last date of admission, that is fixed by the Honourable Supreme Court of India by relying upon paragraph number 35.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. Firstly, with reference to the merit position, it can be seen that as per the seat matrix, the less meritorious candidates, namely M.Sharme, who got only 202 marks was accommodated only as against the seat matrix meant for the regional reservation for Karaikal region and as such, factually, there is no any error in leaving out the petitioner and accommodate the lesser meritorious candidates. The only question that is raised is with reference to the very right of the respondents to have such regional reservation and even if the regional reservation is yet to be proper, the right of the candidate to have earmarked the seat matrix in



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respect of a freedom fighter quota seat, which is meant by way of horizontal reservation. In that regard, it must be seen, that the petitioner at the outset never challenged the policy of regional reservations or the seat matrix, that is published.

8. Now, it can be seen from the set of papers, that is filed by the respondents, that clearly a tabular column is published on 08/08/2025 itself earmarking the various categories of seats including the regional reservation, other vertical reservation and horizontal reservation, if any of the procedure that is followed, is erroneous, the petitioner ought to have challenged the same at the outset. Even belatedly what is under challenge is the order passed by the authorities, by considering and rejecting the representation.

9. Earlier the petitioner filed a writ petition in W.P.No.32017 of 2025 in which the entire allegation was with reference to the freedom fighters quota certificate that was obtained by one candidate, which was alleged to be irregular/fraudulent. It is in that context, the representation was directed to be considered. The respondents have conducted an inquiry and found that the freedom fighter certificate issued to one Karthikeyan was found to be in order. Therefore, by challenging the said



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order, these new questions cannot be now agitated.

10. Admittedly the entire admission process is now over and the all the last date as prescribed by the Supreme Court of India is 20.11.2025 and after that, no relief can be granted, that too in the present writ petition the challenges only the order of the respondents dated 08.09.2025.

11. Therefore, keeping open the question of laws, the prayer made by the petitioner either to grant him seat or to direct the Government to pay the fee, cannot now be countenance by this Court. Accordingly the Writ Petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

17.12.2025

Neutral citation: no

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