



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.49490 of 2025

and

W.M.P.No.55292 of 2025

S.Chandru,
Son of Senthil,
aged 18 years,
2/118D, Chandru Illam,
Uthangarai Main Road,
Teacher Nagar,
East Street, Harur,
Dharmapuri District.

.. Petitioner

/versus/

1.The State of Tamil Nadu represented by its Secretary
Department of Health and Family Welfare,
Secretariat, Fort St.George,
Chennai 600 009.

2.The Director of Medical Education and Research,
Selection Committee (For MBBS and BDS),
Directorate of Medical Education,
No.162, Periyar E.V.R.High Road,
Kilpauk, Chennai 600 010.

3.The Addl.Director of Medical Education/Secretary,
Selection Committee (For MBBS and BDS),
Directorate of Medical Education,
Selection Committee,
No.162, Periyar E.V.R.High Road,
Kilpauk, Chennai 600 010.



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4.The Deputy Director of Medical Education (P.G.)
Selection Committee (For MBBS and BDS),
Directorate of Medical Education,
No.162, Periyar E.V.R.High Road,
Kilpauk, Chennai 600 010.

5.The Deputy Director of Medical Education (U.G)
Selection Committee (For MBBS and BDS)
Directorate of Medical Education,
No.162, Periyar E.V.R.High Road,
Kilpauk, Chennai 600 010.

6.The Deputy Director of Medical Education (PMC),
Selection Committee (For MBBS and BDS),
Directorate of Medical Education,
No.162, Periyar E.V.R.High Road,
Kilpauk, Chennai 600 010.

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to allow the petitioner to attend the special stray vacancy in round V, so as to enable the petitioner to get Bachelor of Medicine and Bachelor of Surgery (MBBS) seat, and allot the petitioner a seat in the upcoming Round 5 Special stray vacant where there are 25 seats still vacant and available and grant such other further relief as may be deemed fit and proper by this Hon'ble Court in the facts and circumstances of the case and award costs.

For Petitioner :Mr.P.V.Ravichandran

For Respondents :Mr.E.Sundaram, GA for R1
M/s S.Sneha, Standing Counsel(Medical)
for R2 to R6



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ORDER

The writ petition is filed for a Mandamus directing the respondents to allow the petitioner to attend the special stray vacancy Round 5, so as to enable the petitioner to get a seat in Bachelor of Medicine and Bachelor of Surgery (in short “MBBS”) and to allot the petitioner a seat in the upcoming Round 5 special stay.

2. Upon hearing the learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent and the learned Standing Counsel appearing for the respondents 2 to 6 and perusing the material records of the case, the following facts emerge:

The petitioner, after completing his 12th standard, had taken part in the NEET-2025 examination for the academic year 2025 and he has got 197 marks. The petitioner also belongs to scheduled caste. As such, he is entitled for reservation earmarked for the schedule caste quota. While so, his turn on merits, for MBBS seat, did not come in the Round 1 and Round 2. The petitioner, unfortunately, participated in the Round 3 and choice locked a BDS seat, which was allotted to him, as per merit. But however the petitioner chose not to join BDS course. Therefore, that seat was forfeited as per the prospectus and was allotted to some other



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student, who was joined in the special stray counselling. Now, the petitioner has neither joined MBBS nor BDS and has approached this Court.

3. It is the case of the petitioner that, he made the entire exercise of applying for the counselling through a small browsing centre and in view of lack of proper guidance and help and due to connectivity issue, he made wrong choice locking. The learned counsel for the petitioner further points out that allotment of MBBS seat was made in the stray Round to many scheduled caste candidates, who have got lesser marks than the petitioner. Therefore, the petitioner prays for one more opportunity to participate in the special stray Round.

4. The prayer is opposed by the learned counsel appearing on behalf of the respondents. The attention of this Court is drawn to the prospectus relating to the Round 3. Clause (e) of Round 3 is extracted hereunder:-

(e) Once the candidate joins the Round 3 allotted seat, candidates cannot upgrade or resign from this seat.

If any candidate does not join the Round 3 allotted seat, candidate will have to forfeit the Registration fee, Security Deposit & Tuition Fee paid by



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him/her and they will also be not eligible to participate in the subsequent Rounds of counselling.

5. According to the learned counsel, the word used in the prospectus is subsequent Rounds and therefore, that will include the special stray Round also.

6. As rightly contended on behalf of the respondents, the counselling was conducted as per procedure and the mandate of the prospectus. In Round 3, the candidates have to finally choice lock the seat and if they are allotted the seats, their journey in the process ends there and thereafter, they cannot seek to participate in the further rounds. The above extracted clause in the prospectus clearly explains the same. At the same time, the prospectus only contemplates one stray round of counselling after Round 3. The special stray Round of counselling is not even contemplated in the prospectus. Therefore, as on date, it is not even on record and the decision is also not conveyed by the DGHS after due approval of the Honourable Supreme Court of India as to whether at all any special stray round will be permitted for Tamil Nadu or not. In that event, if a special stray round is going to be conducted, it is for the DGHS with the approval of the Honourable Supreme Court of India;



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(i) to permit the persons, like the petitioner, considering their merits;
(ii) the DGHS can also consider the state of mental affairs of these candidates who are in a great dilemma, whose merit is on the edge of the entrance door, and who are in doubt whether to choose lock (or) not to choose lock and thereby their entire career itself is now affected and thereafter only, they realize that in the stray rounds, even candidates with lesser marks, are being accommodated in the MBBS course itself. However, the practical difficulties and the overall consideration have to be made by the authorities, that too with the permission of the Honourable Supreme Court of India.

7. In view thereof, this Writ Petition is disposed of on the following terms:

(i) The petitioner, along with the web copy of this order, without waiting for the certified copy of the order, shall make a representation to the Director General of Health Service, New Delhi and the National Medical Council Committee, duly explaining the plight of the petitioner and the fact that, in the stray round, several less meritorious candidates have been accommodated in the MBBS course, and that he is now standing without any seat whatsoever and that the petitioner is willing to take the management quota seat, that may be allotted by the Management



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in the special stray round;

(ii) It is for the DGHS and the National Medical Council Committee to consider the same and they may include it as a special Rule in the special counselling, either for the petitioner alone or in general, as the case may be, depending on these circumstances, and especially, with the permission of the Honourable Supreme Court of India;

(iii) It will also be open for the petitioner to approach the Honourable Supreme Court of India, if so advised,

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

17.12.2025

Neutral citation: no
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To

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