



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 28324 & 29129 of 2023

and

WMP No. 27848 & 27849 of 2023

WP No. 28324 of 2023

Dr.H.Arivoli

Petitioner

Vs

1. Union of India

Represented by its Secretary to
Ministry of Health and Family Welfare,
No.348, 'A' Wing, Nirman Bhavan,
New Delhi - 110 011.

2. Medical Counselling Committee,

Function under the Ministry of Health and Family Welfare,
No.348, 'A' Wing, Nirman Bhavan, New Delhi- 110 011.

3. National Board of Examinations in Medical Science,

Body under Ministry of Health and Family Welfare,
Mahatma Gandhi Marg (ring Road),
Ansari Nagar, New Delhi- 110 029.

4. Medical Council Of India

Sector- 8, Pocket -14, Dwarka, New Delhi- 110 077.

5. Department of Empowerment of Persons With Disabilities,

Functioning under the Ministry of Social Justice and
Empowerment,

5th Floor Antyodaya Bhawan, CGO Complex,
Lodhi Road, New Delhi- 110 003.

6. Tamil Nadu Medical Council,

No.914, Ponnammallee High Road,



Amaravathi Nagar,
Arumbakkam,
Chennai- 600 106.

7.Regional Medical Board,
Rajiv Gandhi Government General Hospital Road,
No.3, Grand Southern Trunk Road,
Poonamallee High Park Town, Chennai- 600 037.

Respondents

WP No. 29129 of 2023

Dr.H.Arivoli

Petitioner

Vs

1. Union of India
Represented by its Secretary to
Ministry of Health and Family Welfare,
No.348, 'A' Wing, Nirman Bhavan,
New Delhi - 110 011.
- 2.The Principal Secretary to Government
Department of Health and Family Welfare,
St.George Fort, Chennai-600 009.
- 3.Medical Counselling Committee,
Function under the Ministry of Health and Family
Welfare, No.348, 'A' Wing,
Nirman Bhavan, New Delhi- 110 011.
- 4.National Board of Examinations in Medical Science,
Body under Ministry of Health and Family Welfare,
Mahatma Gandhi Marg (ring Road),
Ansari Nagar, New Delhi- 110 029.
- 5.Selection Committee,
Directorate of Medical Education and Research,
No.162, Periyar EVR High Road,
Kilpauk, Chennai-600 010.
- 6.The National Medical Commission,
Medical Council of India,
Sector-8, Pocket-14,
Dwarka, New Delhi-110 077.



7. Department of Empowerment of Persons With Disabilities,
Functioning under the Ministry of Social Justice and Empowerment,
5th Floor Antyodaya Bhawan, CGO Complex,
Lodhi Road, New Delhi- 110 003.

8. Tamil Nadu Medical Council,
No.914, Ponnammallee High Road,
Amaravathi Nagar,
Arumbakkam,
Chennai- 600 106.

9. Regional Medical Board,
Rajiv Gandhi Government General Hospital Road,
No.3, Grand Southern Trunk Road,
Poonammallee High Park Town, Chennai- 600 037.

Respondent(s)

WP No. 28324 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorari, calling for the records with respect to the Impugned Certificate of Disability for NEET Admissions No.2023- September / 002490 dated 22.09.2023 (As per the MCI Gazette Notification No.MCI- 18(1)/ 2018- Med./187262 dated 13th March 2019 for admission to Medical Courses in All India Quota) issued by the Regional Medical Board, the seventh Respondent herein and quash the same as illegal and pass appropriate orders.

WP No. 29129 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the fifth respondent herein to reserve one seat for the Writ Petitioner under PwD Quota.



WP No. 28324 of 2023

For Petitioner: Mr.R. Prabhakaran

For Respondents: Mr. K.S.Jeyaganeshan, SPC for
R1 & R5

No appearance for R2

Mr. R. Thirunavukarasu for R3

Ms.Shubaranjani Ananth
Standing Counsel for R4

Mr.S.Nedunchezhiyan for R6

Mr.E.Sundaram, GA for R7

WP No. 29129 of 2023

For Petitioner: Mr.R. Prabhakaran

For Respondents: Mr. K.S.Jeyaganeshan, SPC for R1 & R7

Mr.E.Sundaram, GA for R2, R8 & R9

Not ready in notice for R3

Ms.M.Sneha for R4

No appearance for R5

Ms.Shubaranjani Ananth
Standing Counsel for R6

COMMON ORDER

These writ petitions are connected with each other and are taken up together and disposed of by this common order.

2. W.P.No.28324 of 2023 is filed calling for the records with reference to the impugned disability certificate issued to the petitioner dated 22.09.2023, to



quash the same and to pass such appropriate orders.

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3. W.P.No.29129 of 2023 is filed to direct the fifth respondent to reserve one seat for the Writ Petitioner under PwD Quota.

4. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support of the writ petition and the other material records of the case, the grievance of the petitioner is that he applied for admission to PG medical courses under the differently abled quota. According to the petitioner, he is eligible to apply under the said quota, as he has a locomotor disability of more than 40%. Originally, he was duly certified to have a locomotor disability to the extent of 45%. However, by the impugned order, it was wrongly mentioned as if the petitioner had only 12% disability and consequently, the petitioner was not permitted to avail the quota.

5. It can be seen that the admission for the said year is now over and on instructions, the learned counsel for the petitioner submits that the petitioner is preparing for the current year and that the petitioner will participate in the PG admission programme for the current academic year 2025–2026.

6. The learned counsel appearing on behalf of the Selection Committee would submit that if the petitioner appears for the current year once again, he



will be sent to the Regional Medical Board before the Rajiv Gandhi Government Medical Hospital and the Board will decide the percentage of disability of the petitioner.

7. In view thereof, these writ petitions are *disposed of* on the following terms:

(i) Dehors the impugned order dated 22.09.2023, the petitioner shall be entitled to apply for PG medical admission for the current year or any other ensuing years, both under the general quota as well as persons with disability quota.

(ii) As and when the petitioner applies, he shall be examined by the appropriate Regional Medical Board constituted for the purpose and the said Regional Medical Board shall decide the percentage of disability without being influenced in any manner by the impugned disability certificate and the eligibility of the petitioner shall be objectively decided by examining the petitioner in person.

(iii) Consequently, connected miscellaneous petitions are closed. No costs.

07-01-2026

Neutral Citation: Yes/No
nsl



To

1. The Secretary to Ministry of Health and Family Welfare,
Union of India, No.348, 'A' Wing, Nirman Bhavan,
New Delhi - 110 011.

2. Medical Counselling Committee,
Function under the Ministry of Health and Family Welfare,
No.348, 'A' Wing, Nirman Bhavan, New Delhi- 110 011.

3. National Board of Examinations in Medical Science,
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4. Medical Council of India
Sector- 8, Pocket -14, Dwarka, New Delhi- 110 077.

5. Department of Empowerment of Persons With Disabilities,
Functioning under the Ministry of Social Justice and
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6. Tamil Nadu Medical Council,
No.914, Ponnammallee High Road,
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7. Regional Medical Board,
Rajiv Gandhi Government General Hospital Road,
No.3, Grand Southern Trunk Road,
Poonammallee High Park Town, Chennai- 600 037.

8. The Principal Secretary to Government
Department of Health and Family Welfare,
St. George Fort, Chennai-600 009.

9. Selection Committee,
Directorate of Medical Education and Research,
No.162, Periyar EVR High Road,
Kilpauk, Chennai-600 010.

10. The National Medical Commission,
Medical Council of India, Sector-8, Pocket-14, Dwarka, New Delhi-110 077.



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WP No. 28324 of 2023



D.BHARATHA CHAKRAVARTHY J.

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