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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 43779 of 2026

CNR:{HCMA012360272026}

AND

WMP NO. 49131 OF 2026

T.Vidhulapriya
Rep by her Father and Natural Guardian
Thanikaivelan C No.2 1st Floor Raji Street,
Balamurugan Nagar, Porur, Chennai 600116.

..Petitioner(s)

Vs

1. The Government of India,
   Rep. by its Secretary Department, of Health and Family Welfare Ministry, Room No.348, A wing, Nirman Bhavan New Delhi 110 011.

2. The Director General of Health Services,
   Ministry of Health and Family Welfare, Nirma Bhavan, New Delhi 110007.

3. The Medical Counselling Committee (MCC),
   Rep. by its Chairman D.G.H.S. Ministry of Health and Family Welfare, Room No.348, A. Wing, Nirman Bhavan New Delhi 110 011.

4. The Associate Dean for Graduate Medical,
   Education (ADGME), Directorate General of Health Services, Nirman Bhavan, New Delhi 110 011.

5. The National Medical Commission,
   Rep.by its Chairperson, Sector 8, Pocket 14, Phase -I, Dwarka, New Delhi 110 077,

6. The Chairman,
   Selection committee, Directorate of Medical Education, 163, Periyar E.V.R. High Road, Kilpauk, Chennai 600 010.

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7. The Senior Director, NEET (UG)
National Testing Agency, C-20 1 A /8, Sector 62, IITK Ootreach Centre, Noida 201309.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of mandamus directing the respondents, to consider the petitioner's representation dated 25/09/2026, submitted through Registered Post, seeking correction of her category from General to OBC in NEET (UG) 2026 in respect of Application No.260410114911 and Roll No.4101408180.

For Petitioner(s): Mr.G.M.Gokul Ram
for M/s.Ram Gokul Advocates And Associates

For Respondent(s): Mr.R.T.L.Chandar,
Senior Panel Counsel for R1 to R4

Mr.Sai Srujan Taji for R5

Mr.P.K.Shivakumar,
Government Advocate for R6

Ms.Sunitha Kumari,
counsel for NTA, for R7

Order

This writ petition has been filed seeking a direction to the respondents, to consider the petitioner's representation dated 25.09.2026, submitted through Registered Post, seeking correction of her category from General to OBC in NEET (UG) 2026 in respect of Application No.260410114911 and Roll No.4101408180.

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2. The case of the petitioner is that the petitioner's daughter T. Vidhulapriya, a 17-year-old minor belonging to Agamudayar (OBC) community in Tamil Nadu, is facing an imminent threat to her medical education prospects due to a purely inadvertent clerical error. After securing 197 out of 720 marks in the NEET (UG)-2026 exam, she discovered that an external agency assisting her had mistakenly registered her category as "General" instead of "OBC". The petitioner contends that this was a *bona fide* online data entry mistake with no fraudulent intent, emphasizing that she holds a valid, pre-existing community certificate and is not seeking to alter her merit or exam scores. Despite submitting five separate representations to the respondents between July and September 2026, her grievances remained unaddressed. Given that the time-bound MBBS/BDS counselling process is actively underway, the respondents' inaction will cause her irreversible academic prejudice and hence, filed this petition for an interim direction to provisionally permit her participation in the ongoing counselling rounds under the OBC quota.

3. The learned counsel further submits that only after considering all the candidates who appeared in the OBC Category, the name of the petitioner can be directed to be listed at the bottom of the OBC list, so that it will not have any effect on any of the other candidates. In the said process, she will not be kept

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above any of the other students and only if a seat is vacant, after all the students in the said category have been considered, she would be entitled to a seat.

4. The learned counsel relied on the judgment of this Court in ***A.L.VIVEK Vs. 1. THE NATIONAL BOARD OF EXAMINATIONS (NBE), MEDICAL ENCLAVE, ANSARI NAGAR, NEW DELHI 110 029 AND 2 OTHERS,*** (W.P.No.6182 of 2020), wherein this Court in similar circumstances, passed the following order:-

> *".In view of the above discussion, this writ petition is disposed of with the following directions: (a) The 2nd respondent is directed to place the petitioner at the bottom of the merit list meant for Other Backward Class community candidates who have been called for the counseling for the Post Graduation course. (b) After filling up the seats based on the merit list already prepared in respect of Other Backward Class candidates, if any vacancies arise, the case of the petitioner shall be considered by treating him as an Other Backward Class candidate, provided that the petitioner satisfies all the requirements, and (c) The candidates who are already shown in the Other Backward Class category in the merit list shall not be disturbed in any manner by the intervention of the petitioner, who is directed to be considered as an Other Backward Class candidate."*

5. The learned counsel also relied on the judgment of the ***Hon'ble Supreme Court in DOLLY CHHANDA Vs. CHAIRMAN, JEE AND OTHERS (2005) 9 SUPREME COURT CASES 779,*** *wherein, at para Nos.9 and 10, the Court held as follows:-*

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> *"9. The appellant undoubtedly belonged to reserved MI category. She comes from a very humble background, her father was only a Naik in the armed forces. He may not have noticed the mistake which had been committed by the Zilla Sainik Board while issuing the first certificate dated 29.6.2003. But it does not mean that the appellant should be denied her due when she produced a correct certificate at the stage of second counselling. Those who secured rank lower than the appellant have already been admitted. The view taken by the authorities in denying admission to the appellant is wholly unjust and illegal. 10. The appellant had qualified in the JEE-2003 but the said academic year is already over. But for this* situation the fault lies with the respondents, who adopted a highly technical and rigid attitude and not with the appellant. We are, therefore, of the opinion that the appellant should be given admission in MBBS course in any of the State medical colleges in the current academic year."

6. On the other hand, the learned counsel appearing for the third respondent would submit that the petitioner, having claimed to belong to the General Category, cannot now, at this stage, seek a direction for change of category. The opportunity to change the category or any other details was, in fact, provided by the National Testing Agency (NTA), which conducted the examination. A Public notice was issued on 11th March 2026, wherein it was mentioned that a correction option would be provided for the Online Application Form of NEET (UG) – 2026. The window for corrections was available from 12th March 2026 to 14th March 2026. However, the petitioner failed to avail the opportunity and has come before this Court after the

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Counselling commenced. Such petitions cannot be entertained, otherwise, there will be several other candidates who would also make such applications and entertaining such a request by the petitioner seeking alteration of the category would disrupt the orderly conduct of the selection process. Further, this Court and also the Hon'ble Supreme Court had refused to grant any such relief.

7. The learned counsel relied on the judgment of the Hon'ble Supreme Court in ***S.JEYATHINATHAN (MINOR) THROUGH HIS FATHER Vs. THE NATIONAL TESTING AGENCY & ORS (SLP (C) No.18211 of 2024),*** wherein the Hon'ble Supreme Court had dismissed the Special Leave Petition filed by a student seeking the Court's intervention to change the Category after the results were announced.

8. The learned counsel also relied on the judgment of the Hon'ble Division Bench of this Court in W.A.No.2602 of 2023, wherein the Hon'ble Division Bench of this Court had declined the Student's prayer to change the category after the results were declared. In the judgments cited by the learned counsel for the third respondent, this Court had declined to direct any change in Category after the results were announced.

9. The Division Bench of this Court in ***THE CHAIRPERSON, NATIONAL TESTING AGENCY, NOIDA 201 309 AND ANOTHER Vs.***

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MINOR.M.VIKRAM BALAJI, REP. BY HIS FATHER AND NATURAL GUARDIAN – Mr.V.MARAN AND 3 OTHERS, {W.A.(MD) No.739 of 2019} *vide* order dated 22/7/2019, at para No.4, has observed and held thus:-

> *"8. The writ petition sought for changing his communal category in the application submitted for the NEET examination. Admittedly, such request is made by the petitioner after the declaration of the results. It is seen that the authorities have provided two opportunities for the candidates, to make necessary corrections in the on-line application, if any, one before the examination and another, after the examination, however, before declaration of the results. It is an admitted fact that the writ petitioner has not chosen to utilise both the opportunities and however, has made the request for challenging the communal category, after the declaration of the results. We find that the petitioner is not entitled to make such request, as such request, if considered and permitted, would certainly affect the All India merit ranking list, as rightly contended by the learned Assistant Solicitor General. Therefore, we find that the writ Court is not justified in issuing a direction as granted in this case. Even otherwise, the fact remains that the petitioner, in pursuant to the order passed by the writ Court, seems to have not become successful before the counselling, even under the SC category."*

10. In the judgment in Dolly Chhanda's case, the Hon'ble Supreme Court was dealing with a defective certificate which was issued by the Authority and subsequently, corrected. It is not a case of change of Category after the examination result. As already stated, she applied as a General Category candidate and nowhere did she claim the OBC category. She is seeking a fresh category after the result was announced and it is not a case of

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curing documentary proof of an entitlement already asserted, as in the case before the Hon'ble Supreme Court.

11. The NEET-UG Counselling 2026 Information Bulletin issued by the Medical Counselling Committee, as revised on 20.08.2026, also bears on the relief sought. Clauses 8 and 9 under 'Information for Candidates', at printed page 6, provide that requests to change information furnished during online registration will not be entertained and expressly include category among the particulars which MCC does not alter. Clause 9 further provides that the particulars entered on the NTA portal will be pre-populated and used for counselling. Thus, the request to direct MCC to accept a different category must be examined in the light of the governing counselling scheme, and not merely the availability of a subsequently issued certificate. The prescribed category cannot be altered through an individual direction without a basis in the applicable rules or a finding warranting interference with their operation.

12. The order in A.L. Vivek's case, relied upon by the petitioner, granted consideration at the bottom of the OBC merit list in the context of admission to a postgraduate course. That relief does not, by itself, establish an entitlement to the same arrangement in every subsequent admission process. The present request concerns NEET-UG 2026 counselling and must be tested against the rules governing that process. Further, the Division Bench decisions

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referred to above specifically address requests for changes in category after declaration of the results. This Court is bound by the principle laid down by the Division Bench on that issue. Accordingly, the relief granted in A.L. Vivek cannot be adopted in the present case merely because the petitioner offers to be placed at the bottom of the reserved-category list.

13. The submission that the petitioner may be considered only after all eligible OBC candidates have been considered does not overcome the requirement of a valid claim to participation in that category under the applicable counselling rules. Placement at the bottom of a merit list presupposes eligibility for inclusion in that list. The asserted availability of vacancies does not, by itself, dispense with the prescribed requirements for changing category. Any remaining seats must be dealt with in accordance with the governing counselling rules, including the applicable provisions for subsequent rounds and conversion of seats. The proposed arrangement would create an individual exception to those requirements, rather than merely determine the petitioner's position within the existing list. The submission that no other candidate would be displaced is therefore insufficient to justify the direction sought.

14. The petitioner has come up with this writ petition, as already stated, after the results were announced. The said prayer of the petitioner

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cannot be entertained, since an opportunity was already given to the candidates for change of category. Further, if such directions are given, they would permit requests for changes in category or other particulars beyond the prescribed period, thereby undermining the uniform application of the counselling rules. Such directions as sought by the petitioner would be unjustified. There are no grounds to accept the prayer of the writ petitioner.

14. Accordingly, this writ petition is dismissed. Connected miscellaneous petition is closed. No costs.

K.SURENDER J.
30-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VCA

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To

1. The Secretary Department, of Health and Family Welfare Ministry,
   The Government of India,Room No.348, A wing, Nirman Bhavan New Delhi 110 011.

2. The Director General of Health Services,
   Ministry of Health and Family Welfare, Nirma Bhavan, New Delhi 110007.

3. The Chairman D.G.H.S,
   The Medical Counselling Committee (MCC),
   The Ministry of Health and Family Welfare,
   Room No.348, A. Wing, Nirman Bhavan New Delhi 110 011.

4. The Associate Dean for Graduate Medical, Education (ADGME), Directorate General of Health Services, Nirman Bhavan, New Delhi 110 011.

5. The National Medical Commission,
   Rep.by its Chairperson, Sector 8, Pocket 14, Phase -I, Dwarka, New Delhi 110 077,

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