

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Fourteenth day of September Two Thousand and Twenty
Two

PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

WP(MD) No.21790 of 2022

JAYACHITRA.G

... PETITIONER

Vs

1 THE SECRETARY TO GOVERNMENT
UNION OF INDIA,
MINISTRY OF HUMAN RESOURCE
DEVELOPMENT,
NEW DELHI.

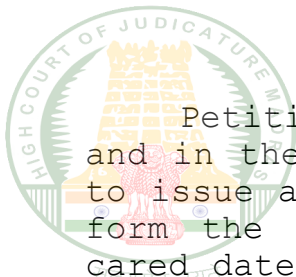
2 THE SECRETARY
NATIONAL TESTING AGENCY,
(NATIONAL ELIGIBILITY CUM ENTRANCE TEST) (UG)
DEPARTMENT OF HIGHER EDUCATION,
MHRD, NSIC, MDPP BUILDING OKLA,
INDUSTRIAL ESTATE PHASE III,
NEW DELHI.

3 THE SECRETARY
THE MEDICAL COUNSELING COMMITTEE,
DIRECTORATE GENERAL OF HEALTH SERVICES,
GOVERNMENT OF INDIA,
ROOM NO.348 A WING,
NIRMAN BHAVAN, NEW DELHI.

4 THE SECRETARY
THE NATIONAL MEDICAL COUNCIL,
POCKET NO 14,
SECTOR 8 DWARAKA,
NEW DELHI.

5 THE DIRECTORATE OF MEDICAL EDUCATION,
NO.162, PERIYAR EVR HIGH ROAD,
KILPAUK,
CHENNAI -10.

... RESPONDENTS



Petition filed praying that in the circumstances stated in and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorarified Mandamus, calling for the records from the 2nd respondent herein pertaining to the impugned score card dated 08.09.2022 - NEET (UG) - 2022 in respect of petitioners application No. 220410741830 and Roll No.4106010261 and quash the same consequently directing the respondents to set right and issue fresh Score Card in respect of the petitioner by getting all consequential reliefs in NEET (UG) 2022 - examination held on 17.07.2022 in accordance with law.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.Mahendran, Advocate for the petitioner and of Mr.P.Karthick, Standing counsel for the respondents 1 to 4 and Mr.V.OM.Prakash, Government Advocate for the 5th respondent, the court made the following order:-

This Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus, to call for the records from the second respondent pertaining to the impugned Score Card dated 08.09.2022 - NEET (UG) - 2022 in respect of petitioner's application No.220410741830 and Roll No.4106010261 and quash the same and consequently directing the respondents to set right and issue fresh Score Card in respect of the petitioner by getting all consequential reliefs in NEET (UG) 2022 examination held on 17.07.2022, in accordance with law.

2. The case of the petitioner is that she has applied for the NEET Examination through online and participated in the NEET Examination on the scheduled date. The petitioner has answered for 141 questions out of 200 questions. Her Booklet Number is 6722597 and the test booklet OMR Code is Q4. On 31.08.2022, the second respondent uploaded the OMR Sheet of every candidate. Thereafter, the second respondent published the final answer key and Q4 and also declared the results and rank list of NEET 2022 (UG) through their website. The petitioner has obtained her score card issued by the second respondent through their official website, on 08.09.2022 and found that the total percentage of marks obtained by her is 48.8789060 and the total marks obtained by her is 114 out of 720. She further stated that as per the original OMR and Test Booklet, she expected to score more than 564 marks. Whereas, while verifying the OMR copy uploaded by the second respondent, she found that her mark comes around only 114. Further, all the candidates were provided with a carbon copy (office copy) to be kept below the answer sheet and were asked to mark their answers. Hence, the comparison of the original and office copy (carbon) of her answer sheet will prove the petitioner's case and the score card issued by the second respondent dated 08.09.2022 is illegal. Therefore, the petitioner has challenged the same.



3. Heard Mr.P.Mahendran, learned counsel for the petitioner, Mr.P.Karthick, learned Standing counsel appearing for the respondents 1 to 4 and Mr.V.OM Prakash, learned Government Advocate appearing for the 5th respondent.

4. Even though this Court does not find any discrepancy in the marking of the OMR Sheet, on the insistence of the learned counsel for the petitioner that the student will get admission in payment seat in a Government College or in a Private College, this Court is inclined to allow the petitioner to verify the OMR Sheet and Carbon copy in the National Testing Agency, (National Eligibility cum Entrance Test) (UG), Department of Higher Education, MHRD, NSIC MDPP Building Okla, Industrial Estate Phase III, New Delhi and if it is found that the said answer sheet has not been changed or no malpractice and there is no discrepancy in the OMR Sheet, exorbitant cost will be imposed on the petitioner. The procedure to be completed within a period of two weeks from today and arguments to be made by the respondents.

5. Post the matter on 28.09.2022.

sd/-

14/09/2022

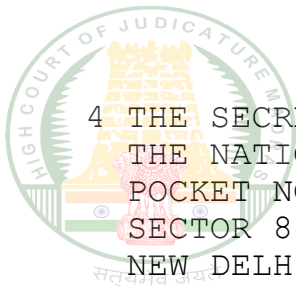
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/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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NO.162, PERIYAR EVR HIGH ROAD,
KILPAUK,
CHENNAI -10.

+1. C.C. to M/S.MAHENDRAN.P Advocate SR.No.9957.

ORDER

IN

WP(MD) No.21790 of 2022

Date :14/09/2022

MK/SVR/SAR.II/14.09.2022/4P/7C