

W.P.(MD)No.21097 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.21097 of 2025

and

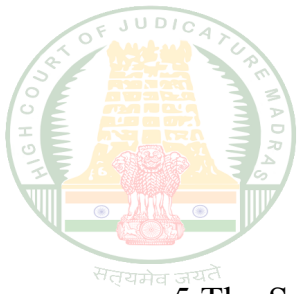
W.M.P.(MD)Nos.16316 and 16319 of 2025

H.S.Jasmin Ruja

... Petitioner

-VS-

- 1.The Union of India,
Represented by its Secretary,
Ministry of Health and Family Welfare,
Government of India, New Delhi.
- 2.The National Medical Commission,
Represented by its Secretary,
Pocket-14, Sector -8, Dwarka,
New Delhi - 110077.
- 3.The Director,
Directorate of Medical Education and Research,
College Road,
Chennai - 600006.
- 4.The Additional Director,
Directorate of Medical Education and Research,
College Road,
Chennai - 600006.



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5. The Secretary,
The Selection Committee,
Directorate of Medical Education and Research,
No.162, Periyar E.V.R. High Road,
Kilpauk, Chennai - 600010.

6. The Registrar,
The Tamil Nadu Dr.M.G.R. Medical University,
Chennai, Tamilnadu.

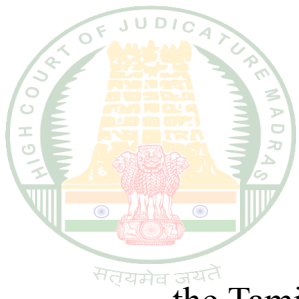
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to include the petitioner in the list of NRI eligible candidates for admission to the Tamil Nadu State MBBS NEET-UG Counseling 2025-2026 and permit her to participate in the Counseling Rounds of Tamil Nadu MBBS NEET-UG 2025-2026 under the NRI Quota for admission to the MBBS Course 2025-2026.

For Petitioner	:	Ms.W.Pamelin
For R2	:	Mr.P.Karthick Standing Counsel
For R3 and R4	:	Mr.P.T.Thiraviam Government Advocate
For R5	:	Ms.M.Sneha Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to include the petitioner in the list of NRI-eligible candidates for admission under



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the Tamil Nadu State MBBS NEET-UG Counselling 2025-2026 and to permit her to participate in the counselling rounds for admission to the MBBS Course 2025-2026 under the NRI Quota.

2. The petitioner has applied for selection under the Management Quota for the academic year 2025–2026 for MBBS/BDS courses. As per the Notification issued by the Government of Tamil Nadu, Directorate of Medical Education and Research, the fifth respondent herein, the commencement of online registration was stipulated as '06.06.2025 at 12:00 P.M.' and the last date for registration was '29.06.2025 at 05:00 P.M.'

3. The petitioner submitted her application on 23.06.2025, after securing 320 marks out of 720 marks in the National Eligibility cum Entrance Test [NEET]. However, while submitting the application, the petitioner mistakenly did not apply under the NRI Quota within the Management Quota. Instead, she confined her claim to the BC (Backward Class) category. Subsequently, the petitioner obtained the necessary certificates required for claiming a seat under the NRI Quota.



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4. At this stage, the learned Standing Counsel for the fifth respondent submits that the application portal has been closed, as the last date for registration expired on 29.06.2025. It is noted that the petitioner uploaded all the requisite documents only on 23.07.2025.

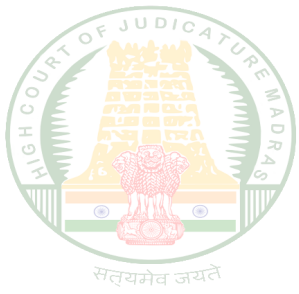
5. The learned Standing Counsel has placed reliance on the decision of the Hon'ble Supreme Court in **Divya vs. Union of India and Others** [(2024) 1 SCC 448], which dealt with a similar issue regarding the uploading of necessary certificates under the Economically Weaker Section [EWS] Category. In that case, the Hon'ble Supreme Court framed the following questions of law:-

"41.1. (a) What is the eligibility criterion for a candidate to stake a valid claim under the EWS category as per the CSE Rules, 2022 read with OM dated 19-1-2019 and 31-1-2019?"

41.2. (b) Was UPSC justified in prescribing the cut-off date for possession and for uploading of the I&AC certificates in the prescribed format to stake a valid claim under the EWS category, as done in the instant case?

41.3. (c) Are the CSE Rules, 2022 enforceable in law?

41.4. (d) Are Rules 13, 27(3) and 28 of the CSE Rules, 2022 constitutionally valid?



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41.5. (e) Was UPSC justified in rejecting the claim of the petitioners for consideration under the EWS category?"

6. In the aforesaid decision, the Hon'ble Supreme Court has also referred to the definition of the term "eligible" in Paragraph 48 and made the following observation:-

"Applied to the selection of persons, the word has two meanings i.e. "legally qualified", or "fit to be chosen"."

7. The learned Standing Counsel for the fifth respondent has also placed reliance on the above-mentioned case, wherein the Hon'ble Supreme Court referred to and distinguished its earlier decision in **Ram Kumar Gijroya vs. Delhi Subordinate Services Selection Board** [(2016) 4 SCC 754], with the following observation:-

"61. The strong reliance placed on Ram Kumar Gijroya case [Ram Kumar Gijroya v. Delhi Subordinate Services Selection Board, (2016) 4 SCC 754 : (2016) 1 SCC (L&S) 742] also does not impress us. Not only was there no rule, like we have in the present case, it was only while declaring the result, the requirement of submitting the OBC



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certificate before the cut-off date was introduced by the Selection Authority there. Moreover, unlike the present, there was no contention or issue raised in that case that eligibility enures or crystallises only on the issuance of the certificate and on possession of the certificate, before the prescribed cut-off date."

8. The learned Standing Counsel for the fifth respondent has also relied on another decision of the Hon'ble Supreme Court in **UPSC vs. Gaurav Singh** [(2024) 2 SCC 605], wherein, in Paragraph 21, the Hon'ble Supreme Court has observed as follows:-

"21. The Respondent-Writ Petitioners were required to submit Certificates for the relevant financial year. The negligence of the Respondent-Writ Petitioners in not checking if the Certificate related to the correct financial year, cannot be lightly brushed aside as inadvertent lapses of the certifying authority. A candidate applying for a post pursuant to an advertisement, cannot afford to be negligent. Documents required to be submitted have to be carefully checked by the candidate concerned before submission. An appointing authority proceeds on the basis of what is stated in a certificate. When a certificate pertains to a different financial year, the same is liable to be outright rejected. No candidate can, in such case, claim any legal right to reconsideration of his/her candidature by submission of a fresh certificate and/or rectified certificate."



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9. It is, therefore, submitted that it is not feasible to accept the candidature of the petitioner at this belated stage, as the counseling process is required to be completed by September 2025. Permitting the petitioner's application at this juncture would open a Pandora's box, delaying the completion of admissions beyond September 2025 and consequently, delaying the commencement of the academic year, which is mandated as per the directives of the Director General of Health Services, New Delhi.

10. It is further submitted that since the petitioner's application was not uploaded within the prescribed time limit, *i.e.*, by 29.06.2025, the petitioner is not eligible to participate in the counseling. It is further submitted that there have been instances of fake and fabricated NRI certificates being submitted, resulting in admissions of candidates without proper credentials, which later require remedial action. On these grounds, it is submitted that the present Writ Petition ought to be dismissed.

11. On the other hand, the learned counsel for the petitioner relied on certain decisions of this Court rendered as late as September 2024, pursuant to



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which, belated applications were entertained and counseling was conducted.

Moreover, it is submitted that applications were still being received even as of yesterday, notwithstanding the expiration of the deadline on 29.06.2025.

12. The learned counsel for the petitioner further referred to certain applications received from candidates such as, Nalina Sudhani M.M., in relation to failure to upload necessary certificates for seats reserved under the SC/ST category. Reference was also made to Notification No.20/SCS1(1)/2025 of the fifth respondent Selection Committee, dated 31.07.2025, wherein a candidate [Application No.25UG931662] under the NRI quota was included in the merit list for the academic year 2025-2026.

13. Further, an attention was also drawn to **W.P.(MD)No.21533 of 2024** in the matter of **Shreeya Suresh Prabu vs. The Union of India and others**, wherein this Court, by order dated 11.09.2024, dealt with a similar issue.

14. I have carefully considered the submissions advanced by the learned counsel for the both parties, as well as the decisions cited by them. I have also

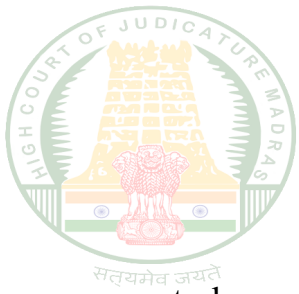


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perused the documents filed by the petitioner, which indicate that although 29.06.2025 was stipulated as the last date for registration, the fifth respondent has, pursuant to this Court's directions, included candidates even after the prescribed deadline, including those who filed belated credentials against respective quotas.

15. Be that as it may, considering the fact that the petitioner has secured 320 marks out of 720 marks in the NEET qualifying examination, I am of the view that the petitioner deserves an opportunity, notwithstanding the belated submission of credentials beyond the deadline stipulated in the Web Notification issued by the fifth respondent.

16. That being so and in the light of this Court's intervention as late as 11.09.2024 in the case of **Shreeya Suresh Prabu** at the fag end of the counseling period, I am inclined to direct the fifth respondent to accept the petitioner's application under the Management Quota [NRI Quota]. However, the petitioner's application and admission shall be subject to verification of the credentials of the documents subsequently uploaded by her. In the event, the documents are found



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to be genuine and the petitioner otherwise meets the eligibility criteria, admission may be granted; failing which, the application shall be rejected. Accordingly, the respondents are directed to permit the petitioner to participate in the first round of counseling scheduled to commence on 04.08.2025.

17. The Writ Petition stands disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No

01.08.2025

Index : Yes / No

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Note:- Issue order copy on 04.08.2025.

To:-

- 1.The Secretary,
Union of India, Ministry of Health and Family Welfare,
Government of India, New Delhi.
- 2.The Secretary,
National Medical Commission,
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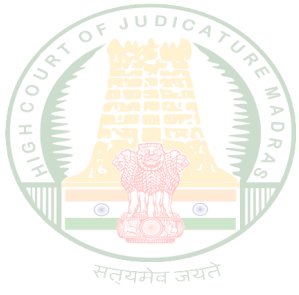


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C.SARAVANAN, J.

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