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W.P.No.44306 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.44306 of 2025
and WMP.No.49416 & 49417 of 2025

Shilpa Suresh.S

.... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep by the Additional Chief Secretary to Government
Health & Family Welfare Department
Chennai – 600 009.
- 2.The Director
Directorate of Medical Education and Research
College Road, Chennai – 600 006.
- 3.The Secretary
The Selection Committee
Directorate of Medical Education and Research
No.162, Periyar E.V.R. High Road
Kilpauk, Chennai – 600 010.
- 4.The Dean
Madha Medical College & Research Institute
Kundrathur Main Road
Kovur (Near Porur)
Chennai – 600 128.

... Respondents



W.P.No.44306 of 2025

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to direct the respondents to permit the petitioner to join 4th respondent Madha Medical College, Chennai as per the allotment in Round-III of the Tamil Nadu State MBBS NEET UG 2025-26 Counselling issued by the 3rd respondent Selection Committee dated 03.11.2025 by accepting the specified fee of Rs.15,00,000/- by way of Demand Draft / Cheque and pass orders.

For Petitioner : Ms.Abisha Isaac
Assisted by Ms.H.Mary Sowmi Rexi
of M/s.Isaac Chambers

For Respondents : Mr.K.Tippu Sultan
Government Advocate for R1 & R2

Mrs.M.Sneha
Special Counsel for R3

Mr.Richardson Wilson
Standing Counsel for R4

ORDER

This writ petition has been filed for issue of Writ of Mandamus directing the respondents to permit the petitioner to join the fourth respondent-College as per the allotment made in Round-III of the Tamil Nadu State NEET UG 2025-2026 issued by the third respondent Selection Committee, dated 03.11.2025.



W.P.No.44306 of 2025

WEB COPY

2. Heard Ms.Abisha Issac assisted by Mr.H.Mary Sowmi Rexi of M/s.Isaac Chambers, learned counsel appearing on behalf of the petitioner and Mr.K.Tippu Sultan, learned Government Advocate appearing on behalf of respondents 1 and 2, Mrs.M.Sneha, learned Special Counsel appearing on behalf of the third respondent and Mr.Richardson Wilson, learned Standing Counsel appearing on behalf of the fourth respondent.

3. The petitioner had appeared for NEET UG 2025-2026 and obtained a score of 251. On 06.06.2025, the third respondent Selection Committee issued the prospectus, for admission to MBBS Course 2025-2026. The petitioner applied under the minority quota for both Government quota counselling and Management quota counselling. She was allotted in the fourth respondent-college under the minority quota in the 3rd round of counselling which took place from 30.10.2025. to 01.11.2025 vide provisional allotment list published on 03.11.2025.



W.P.No.44306 of 2025

4. As per the notification dated 25.10.2025, after the publication of results on 03.11.2025, the candidates have to download the allotment order and they must report before the concerned college by 08.11.2025.

5. The specific case of the petitioner is that the petitioner had to arrange a sum of Rs.15,00,000/- for payment of fees to the fourth respondent-college. The mother of the petitioner took lot of efforts to muster this amount. Ultimately, the petitioner's mother had to pledge whatever gold jewels that are available with her and she was able to get the amount only on 08.11.2025. Since 08.11.2025, was a second Saturday, it was a bank holiday. Therefore, the petitioner was not able to take the demand draft or make the payment through NEFT or RTGS mode.

6. In the above circumstances, the petitioner and her mother were repeatedly trying to get in touch with the respondent college, so as to inform them that they will be able to pay the fees on the next working day i.e., on 10.11.2025. However, there was no response. Since the petitioner did not join the fourth respondent college by 08.11.2025, the seat was considered as not



W.P.No.44306 of 2025

occupied and therefore, it was added towards the vacancy which will be filled up during stray vacancy. It is under these circumstances, the petitioner has approached this Court and filed the present writ petition.

7. The learned Special Counsel appearing on behalf of the third respondent submitted that as per the NEET UG schedule 2025, the last date for joining the State counselling was on 08.11.2025. The Round-III counselling was completed on 03.11.2025 and the candidates had the time between 03.11.2025 to 08.11.2025 to pay the fees and to join in the respective colleges. If the same is not done, automatically the seat goes unoccupied and it will come under stray vacancy. The learned counsel submitted that the seat was unoccupied by the petitioner and therefore, it has been added to the stray vacancy and already the candidates who are participating in the stray vacancy had opted for the said seat. The learned Special Counsel further submitted that the third respondent has to strictly abide by these schedules fixed and under no circumstances, any exemption can be granted. It was further submitted that, like in the case of the petitioner, there may be many other candidates who would not have been able to join the course due to non-availability of funds and if the



W.P.No.44306 of 2025

case of the petitioner is positively considered, it will set a bad precedent and every other candidate will knock the doors of the Court and seek for a similar relief, which would ultimately hamper the process of stray vacancy, which has already commenced on 11.11.2025 and would come to an end by tomorrow i.e., on 14.11.2025. Hence, the Special Counsel vehemently opposed the relief sought for by the petitioner and sought for the dismissal of this petition.

8. The learned Standing Counsel appearing for the fourth respondent submitted that they do not have any objection in permitting the petitioner to join the fourth respondent-college, since the petitioner will be more meritorious in terms of the score obtained in NEET exams than those candidates who may opt for the fourth respondent-college, while filling up the stray vacancy.

9. In the considered view of this Court, the Round-III counselling was over on 03.11.2025 and the petitioner who had applied under the minority quota was allotted to the fourth respondent-college. It has to be kept in mind that the petitioner has secured a score of 251 in the NEET examination. It is also relevant to take note of the family background of the petitioner, that her mother



had done her studies only upto 10th standard and her father is working as a painter in Saudi Arabia. The petitioner is aspiring to become a doctor and had put all efforts to join MBBS course. For the score secured by the petitioner, she was able to get a seat in the 4th respondent college. What stood between the petitioner and the fourth respondent, was a sum of Rs.15,00,000/- which had to be paid to the fourth respondent-college towards fees.

10. On going through the materials placed before this Court, it is seen that the petitioner's mother had somehow arranged this amount of Rs.15,00,000/- even by pledging her jewels and the said amount was available with the petitioner's mother only on 08.11.2025. Unfortunately, 08.11.2025 was a second Saturday of the month and the petitioner was not able to send the fees to the fourth respondent through NEFT or RTGS. The earliest point of time where the petitioner could have paid the fees was on 10.11.2025.

11. If the above seat is considered to be unoccupied and it is added to the stray vacancy, obviously it will be occupied by those students who have secured lesser marks than the petitioner. There are cases where this Court has to



W.P.No.44306 of 2025

exercise its discretionary jurisdiction under Article 226 of the Constitution of India and render substantial justice. It is not as if the petitioner had intentionally not joined the course by 08.11.2025 and the situation was such that the petitioner had to muster the finance and pay the fees by 08.11.2025. It was sheer bad luck for the petitioner that 08.11.2025 also happened to be a second Saturday and therefore, the petitioner was not able to send the amount through NEFT or RTGS. The other issue that was faced by the petitioner is that the payment gateway in the portal only showed the options of nearly eight banks and the petitioner's mother had a bank account in TMB Bank.

12. In the facts of the present case, considering the marks scored by the petitioner, and considering the attendant circumstances which prevented the petitioner from making the payment on 08.11.2025, this Court is of the view that the extraordinary jurisdiction has to be exercised. Ultimately, instead of the MBBS seat going to the hands of the less meritorious student, it will be more appropriate if the petitioner is able to get the seat, as a meritorious student. Therefore, there is no compromise on merit also. It goes without saying that the present order cannot be shown as precedent in every other case and in cases



W.P.No.44306 of 2025

of this nature, this Court exercises its discretion, based on the facts of the given case. This order cannot be applied to all the cases where the candidates do not join the course, within the time stipulated and therefore, the apprehension on the part of the respondents that this order will open flood-gates is too far-fetched.

13. The conspectus of the above discussion leads to the only conclusion that the writ petition deserves to be allowed and there shall be a direction to the respondents to permit the petitioner to join the fourth respondent college as per the allotment in Round-III of the Tamil Nadu State MBBS NEET UG 2025-2026 counselling issued by the third respondent-Selection Committee, dated 03.11.2025, by accepting the specified fee of Rs.15,00,000/- The fee shall be paid by the petitioner as per the procedure prescribed by 14.11.2025. It is made clear that if this direction is not complied with by the petitioner, the petitioner has to necessarily lose her right to claim for a seat in the fourth respondent-college.



W.P.No.44306 of 2025

14. In the result, this writ petition is allowed in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

13.11.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking orders

Note : Issue order copy (13.11.2025)

To:

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Rep by the Additional Chief Secretary to Government
Health & Family Welfare Department
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Kundrathur Main Road
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Chennai – 600 128.

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W.P.No.44306 of 2025

N. ANAND VENKATESH, J

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