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WP No. 38727 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 5/10/2026

Pronounced on : 6/10/2026

CORAM

THE HON'BLE MR.JUSTICE K.SURENDER

WP No. 38727 of 2026

CNR:{HCMA012278842026}



Keerthi V
D/o. Mr. Venaya Kumar V,
170A, Door No.31A, 20th Avenue,
Banu Nagar, Pudur, Ambattur,
Chennai - 600053.

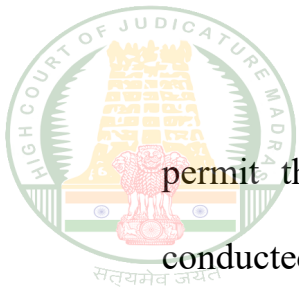
..Petitioner(s)

Vs

1. The Secretary
Medical Counselling Committee,
Directorate General of Health Services,
Ministry of Health and Family Welfare,
Government of India,
New Delhi.
2. The Director General of Health Services,
Ministry of Health and Family Welfare,
Government of India,
Nirman Bhawan,
New Delhi.
3. The Director General,
National Testing Agency,
Ministry of Education, Government of India,
New Delhi.

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India
praying for the issuance of a writ of mandamus to direct the first respondent to



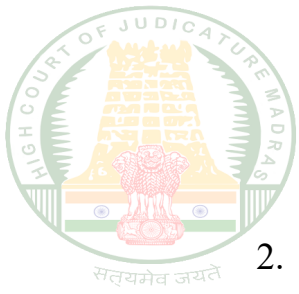
permit the petitioner to participate in the NEET-UG 2026-27 counselling conducted by the Medical Counselling Committee under 15% All India Quota as an OBC-NCL candidate, by accepting and verifying the OBC-NCL Certificate bearing Certificate No. TN-6202609071333 dated 12.09.2026, and consequently consider the petitioner's candidature in accordance with the petitioner's NEET-UG 2026 All India Rank, the applicable OBC-NCL reservation norms, eligibility criteria and availability of seats.

For Petitioner(s): Ms.M.Sneha

For Respondent(s): Ms.Sunita Kumari
Standing Counsel
for R3

Order

This writ petition has been filed to direct the first respondent to permit the petitioner to participate in NEET-UG 2026-27 counselling conducted by the Medical Counselling Committee under 15% All India Quota as an Other Backward Class – Non Creamy Layer (hereinafter referred to as “OBC – NCL”) candidate, by accepting and verifying the OBC-NCL Certificate bearing Certificate No. TN-6202609071333, dated 12/9/2026, and consequently, consider the petitioner's candidature in accordance with the petitioner's NEET-UG 2026 All India Rank, the applicable OBC-NCL reservation norms, eligibility criteria and availability of seats.



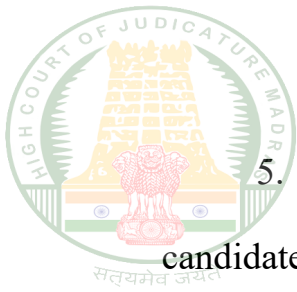
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2. The case of the petitioner, in a nutshell, is as follows:-

The petitioner had taken the NEET exam this year. The results were declared on 16/7/2026. The Medical Counselling for the first round commenced from 5/8/2026. The other Counselling Schedule was revised from time to time by the Medical Counselling Committee.

3. The facts of the case are that the petitioner applied for NEET – UG 2026 as a general candidate. For the first time, the petitioner, after commencement of the Counselling process, applied for a Community Certificate and was issued an OBC – NCL certificate on 12/9/2026. The validity of the certificate is from 12/9/2026 to 31/3/2027.

4. The learned counsel appearing for the petitioner would submit that the petitioner, though she submitted her application as a General Candidate, applied for a Community Certificate only in the month of August 2026 and the certificate was issued on 12/9/2026. There are a number of seats which, in fact, fall vacant in the OBC NCL Category and no harm would be caused to any of the candidates if the petitioner is placed in the OBC NCL category.



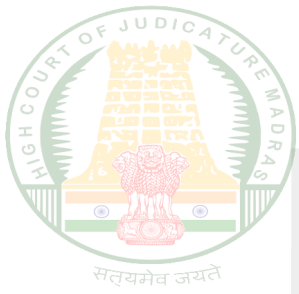
5. The learned counsel further submits that only after considering all the candidates who appeared in the OBC NCL Category, the name of the petitioner can be directed to be listed at the bottom of the OBC NCL list, so that it will not have any effect on any of the other candidates. In the said process,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

6. 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



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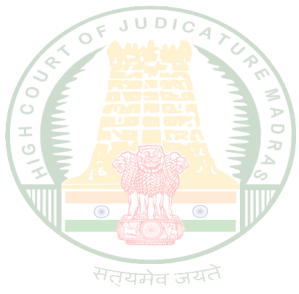
Class candidate, provided that the petitioner satisfies all the requirements, and

(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.”

7. 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:-

“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

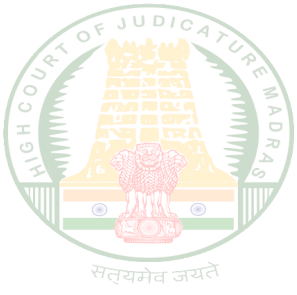


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situation the fault lies with the respondents, who adopted a highly technical and rigid attitude and not with the appellant. We are, therefore, of the opinion that the appellant should be given admission in MBBS course in any of the State medical colleges in the current academic year.”

8. 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 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.

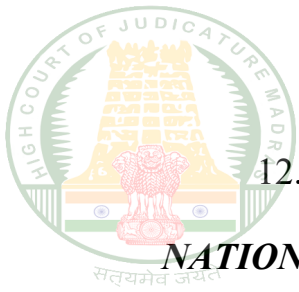


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9. The learned counsel relied on the judgment of the Hon'ble Supreme Court in ***S.JEYATHINATHAN (MINOR) THROUGH HIS FATHER Vs. THE NATIONAL TESTING AGENCY & ORS (SLP (C) No.18211 of 2024)***, wherein the Hon'ble Supreme Court had dismissed the Special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

10. 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.

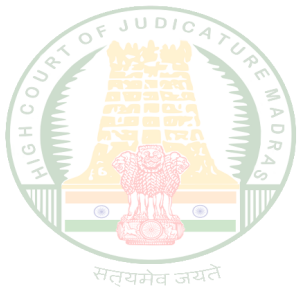
11. Admittedly, for the first time, after the results were announced, this petitioner had filed an application seeking an OBC NCL certificate. By the time she applied, the results had already been announced and the cut-off marks were also specified. In the judgments cited by the learned counsel for the third respondent, this Court had declined to direct any change in Category after the results were announced.



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



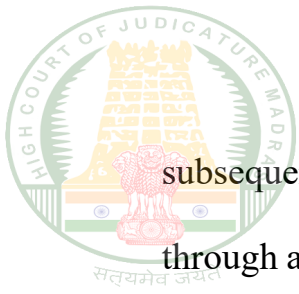
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the order passed by the writ Court, seems to have not become successful before the counselling, even under the SC category.”

13. 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 NCL category. She is seeking a fresh category after the result was announced and it is not a case of curing documentary proof of an entitlement already asserted, as in the case before the Hon’ble Supreme Court.

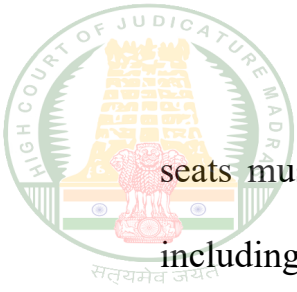
14. The NEET-UG Counselling 2026 Information Bulletin issued by the Medical Counselling Committee, as revised on 20.08.2026, also bears on the relief sought. Clauses 8 and 9 under ‘Information for Candidates’, at printed page 6, provide that requests to change information furnished during online registration 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.

15. 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 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.

16. The submission that the petitioner may be considered only after all eligible OBC-NCL 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.

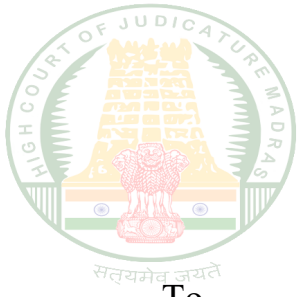
17. The petitioner has come up with this writ petition, as already stated, after the results were announced. The said prayer of the petitioner cannot be entertained, since an opportunity was already given to the candidates for change of category. Further, if such directions are given, they would permit 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.

18. Accordingly, this **writ petition is dismissed**. No costs.

(K.SURENDER,J)
6/10/2026

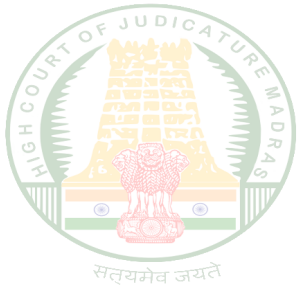
Neutral Citation: Yes/No

mvs.



To
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Order QR

K.SURENDER J.

mvs.

Pre-delivery order made in
WP No. 38727 of 2026

6/10/2026