



WEB COPY

WP No. 42923 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-10-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 42923 of 2026

CNR:{HCMA012511652026}

AND

WMP NO. 48273 OF 2026



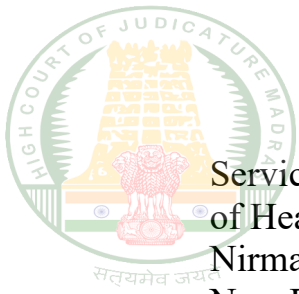
Case QR

(minor) Shifa Shanavaz
Rep. by Father and Natural Guardian,
Mohammed Shanavaz,
401, Block a. Radiance Sapphire,
Model School Extension Road,
Sholinganallur, Chennai-600 119

..Petitioner(s)

Vs

1. The Union Of India
Represented by its Joint Secretary to
Government,
Department of Higher Education,
Ministry of Education,
Shastri Bhawan, New Delhi-110001
2. National Dental commission
Rep. by Secretary,
Plot NO.14, Sector -9, R.K. Puram,
New Delhi-110022
3. The Selection Committee,
Rep. by Secretary,
Directorate of medical Education (DME),
162 Periyar E.V.R. High Court
Kilpauk, Chennai-10
4. Director General of Health and Health Services
Rep. by Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi-11
5. Medical Counselling Committee (MCC)
Room No.354 Directorate General of Health



Services (DGHS) Ministry
of Health and Family Welfare,
Nirman Bhawan,
New Delhi-110011

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6. Karpaga Vinayaga Educational Trust,
Represented by its Managing Trustee,
3108 East Second Street,
Pudukottai -622 001

..Respondent(s)

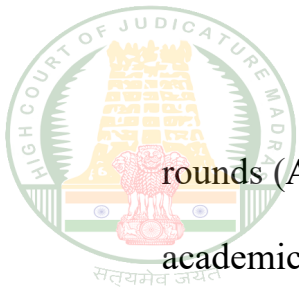
PRAYER : Writ Petition filed under article 226 of the Constitution of India, praying for issuance of writ of mandamus to direct the respondents 1 to 5 to cancel the admission of the petitioner in the BDS course commencing in the Academic year 2026-27 in Karpaga Vinayaga Institute (6th Respondent) and consequently permit the petitioner to participate in the upcoming mop-up rounds (All India Quota and the State Quota) Counselling of the BDS course for academic year 2026 and further direct the 6th Respondent to release the petitioners original documents pending disposal of the above Writ petition.

For Petitioner(s): Mr.Aravind Srevatsa
for Mr. V.Venkata Seshaiya

For Respondent(s): Mr.C.Vigneswaran,
Additional Government Pleader for R3

Order

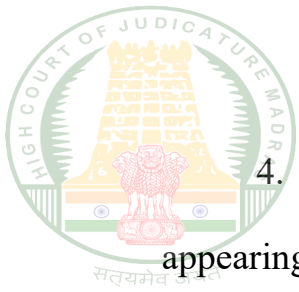
This petition has been filed seeking a direction to the respondents one to five to cancel the admission of the petitioner in the BDS course commencing in the academic year 2026-27 in Karpaga Vinayaga Institute (sixth respondent) and consequently permit the petitioner to participate in the upcoming mop-up



rounds (All India Quota and the State Quota) Counselling of the BDS course for academic year 2026 and further direct the sixth respondent to release the petitioners original documents.

2. The learned counsel for the petitioner submitted that pursuant to her qualification in the NEET UG (Dental) exam, during the course of counselling she secured a seat in the sixth respondent college. However, the petitioner who belongs to the BC (Muslim) community, produced a certificate issued by the State of Andhra Pradesh. The sixth respondent college then informed her that the necessary community certificate from the State of Tamil Nadu had to be produced. Subsequently, the petitioner obtained the same from the concerned authorities. However, the sixth respondent college is now insisting upon a Central Government community certificate, viz., an OBC certificate.

3. The caste of the petitioner does not find a place in the Central Government's identified list of communities. For the said reasons, the learned counsel for the petitioner submitted that a direction be given to the sixth respondent college to cancel the petitioner's admission and return her original documents, which were submitted at the time of her counselling.



4. On the other hand, the learned Additional Government Pleader appearing for the third respondent submitted that since the third round of counselling has already been completed and the petitioner has secured a seat in the All India Quota, the question of again opting for a seat in the stray round does not arise. To substantiate his arguments he circulated a notice issued by the Government of India, Directorate General of Health Services, Ministry of Health & Family Welfare, NML, New Delhi, a copy of which is scanned below:.

Office of MCC
Email: adgmc@nic.in



GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF HEALTH SERVICES
MINISTRY OF HEALTH & FAMILY WELFARE
NML, NEW DELHI-110029

Ref.U-11011/07/2026-MEC
Notice No.- 25

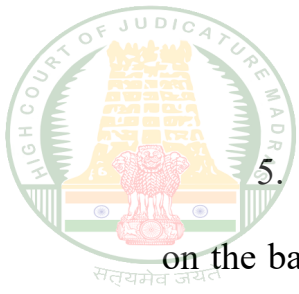
Dated: 10.10.2026

NOTICE

Urgent Attention Candidates & State Counselling Authorities:

As per directions of Hon'ble Supreme Court of India in Contempt Petition No. 289 of 2022 in W.P No. 223 of 2022 Shubhankar Patnaik Vs. K. Ramesh Reddy & Ors. the filtering out of joined All India Quota candidates is mandatory before stray vacancy round of state UG counselling.

In view of above, it is informed that the Reporting for Round-3 of UG Counselling 2026 has completed on 09.10.2026. Hence, all state counselling authorities are requested to weed out the joined candidates of AIQ upto Round-3 before seat processing of Round-3 of state counselling so that candidates holding a seat in AIQ are not allotted any seat through state counselling. State counselling authorities can download the list of joined candidates from the data sharing portal of MCC.

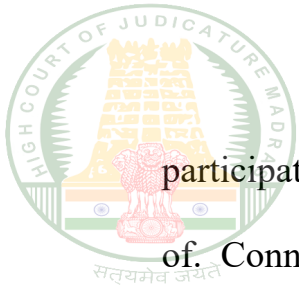


5. Since the petitioner secured a seat in the sixth respondent college on the basis of the OBC reservation and since her caste is not identified by the Central Government in the OBC category, the question of the petitioner being allotted a seat in the sixth respondent college does not arise. Further, the learned Additional Government Pleader submitted that the student will not have any option to participate in the stray round since the third round is the final round and switching of colleges from All India Quota to State Quota is not permitted in accordance with the notice dated 10.10.2026.

6. The learned counsel for the petitioner submitted that they would take the risk and sought a direction from this Court to cancel the petitioner's admission in the sixth respondent college and to return all her original documents.

7. Accordingly, as the petitioner is not inclined to join the sixth respondent college and inasmuch as she does not have the OBC certificate under the category in which she was granted a seat, the sixth respondent college is directed to return all the original certificates to the petitioner, after cancelling her admission.

8. It is made clear that this Court in any manner does not entitle the petitioner to claim any benefits in the stray round if at all she is eligible to



participate in the same. With the above directions, this writ petition is disposed of. Connected Miscellaneous Petition is closed. Costs made easy.

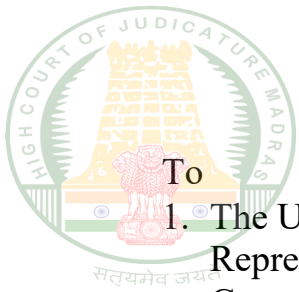
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K.SURENDER J.
16-10-2026

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

VCA

Note: Issue order copy today



To

1. The Union Of India
Represented by its Joint Secretary to
Government,
Department of Higher Education,
Ministry of Education,
Shastri Bhawan, New Delhi-110001.
2. National Dental commission
Rep. by Secretary,
Plot NO.14, Sector -9, R.K. Puram,
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3. the Selection Committee,
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Directorate of medical Education (DME),
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