



WEB COPY

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 07.02.2024

CORAM

**THE HONOURABLE DR. JUSTICE ANITA SUMANTH**

**W.P.No.603 of 2024**  
**and WMP Nos.598 and 600 of 2024**

J.Jebishan Patrick

.... Petitioner

Vs

1.The Registrar

The Tamil Nadu Dr.M.G.R.Medical University,  
Guindy, Chennai – 600 032.

2.The Dean

Coimbatore Medical College,  
Coimbatore.

.... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2<sup>nd</sup> respondent to receive Examination fee from the petitioner for examination ensuing from 01.02.2024 for II year MBBS and consequently direct the 1<sup>st</sup> respondent to issue Hall Ticket to the petitioner and allow the petitioner to write examination for II year MBBS Course based on the representation dated 04.01.2024.



W.P.No.603 of 2024

For Petitioner : Mr.A.R.Nixon

For Respondents : Mr.Imayavaramban

for M/s.Ramalingam Associates – R1

Mr.M.R.Gokul Krishnan

Additional Government Pleader - R2

### **ORDER**

The petitioner has filed this Writ Petition seeking a mandamus directing the second respondent, i.e., Dean of Coimbatore Medical College, Coimbatore to receive examination fees from him for the examination ensuing from 01.02.2024 for the second year MBBS Course. He seeks a consequential direction to the first respondent, being the Registrar, Tamil Nadu Dr.M.G.R. Medical University to issue a Hall Ticket to facilitate him to write the examinations.

2. The petitioner has made a representation on 04.01.2024 to both the Controller of Examinations of the Tamil Nadu Dr.M.G.R. Medical University as well as to R2 seeking permission to pay the examination fee and appear for examinations.

3. A perusal of representation dated 04.01.2024 reveals that the petitioner has set out some explanation in respect of the period when he was unable to attend the college citing medical reasons. It is thus necessary for R2 to look



W.P.No.603 of 2024

into the representation, call for particulars to satisfy himself that the shortfall in attendance is justified and thereafter take a considered view as to whether the shortfall in attendance may be condoned. This has not been done.

4. That apart, letter dated 01.11.2023 issued by the Tamil Nadu Dr.M.G.R.University to all Deans/Principals of the affiliated Medical Institutions sets out the resolutions that have been passed by the Standing Academic Board in respect of the procedure to be followed for break of study and re-admission to all courses. Inter alia, paragraph 3 of that letter reads as follows:

*'3. A candidate should obtain Condonation Order from the University, if he/she is absent / continuously on leave for more than three months along with the payment of the requisite fee. The respective institutions should forward the request of the student within two week's time. If delayed, it must be sent with the requisite penal fee.'*

5. Learned counsel for the respondents would point out that the petitioner has not approached R2 seeking condonation of his absence. However, I find that letter dated 04.01.2024 (page 30 of the compilation accompanying the writ petition) can well be treated as such application.

6. Hence, R2 shall call upon the petitioner, hear him and seek any particulars that he may deem it necessary to decide on the question of condonation and take a decision on the representation of the petitioner dated



WEB COPY



W.P.No.603 of 2024

**DR.ANITA SUMANTH,J.**

04.01.2024 in accordance with law and all prevailing Rules and Regulations, within a period of two (2) weeks from date of receipt of a copy of this order.

7. This Writ Petition is disposed in terms of this order. No costs.

Connected Miscellaneous Petitions are closed.

07.02.2024

Index : Yes / No

Speaking order

Neutral citations:Yes

sl

To

1.The Registrar

The Tamil Nadu Dr.M.G.R.Medical University,  
Guindy, Chennai – 600 032.

2.The Dean

Coimbatore Medical College,  
Coimbatore.

**W.P.No.603 of 2024**  
**and WMP Nos.598 and 600 of 2024**