



W.A.No.2134 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.No.2134 of 2024

S.Hemashri

.. Appellant

Vs

1. The Director
Jawaharlal Institute of Postgraduate
Medical Education and Research (JIPMER)
Pondicherry.

2. The Dean (Academics)
Jawaharlal Institute of Postgraduate
Medical Education and Research (JIPMER)
Pondicherry.

3. The Controller of Examination
Jawaharlal Institute of Postgraduate
Medical Education and Research (JIPMER)
Pondicherry.

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 6.6.2023 passed by the learned Single Judge in W.P.No.24092 of 2022.



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For the Appellant : Mr.B.Balavijayan

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

Questioning the correctness of the order dated 6.6.2023 passed by the learned Single Judge in W.P.No.34092 of 2022, the unsuccessful writ petitioner has filed this appeal.

2. Due to non-completion of the MBBS course within the stipulated period of nine years, by proceedings dated 4.5.2021, the second respondent removed the name of the appellant from the students live-list of JIPMER. Assailing the said proceedings of the second respondent, the appellant filed writ petition. The learned Single Judge, by the order impugned herein, dismissed the writ petition holding that the appellant had failed to utilize the extended duration for completion of the course and, therefore, granting one more opportunity to the appellant does not arise.

3. It is not in dispute that the appellant joined the first year



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MBBS course in the year 2009. As per the curriculum prevailing at the time of admission, the maximum period for completion of the MBBS course is eight years. However, based on the request of the appellant and other students, the duration was extended by the respondents from eight years to nine years. The respondents, vide proceedings dated 3.2.2021, informed the appellant that, though the extended period for completion of the MBBS course has lapsed, she may appear in the professional exams that were to be held in Feb-March, 2021 as a final attempt to complete the examinations, failing which her name would be removed from the students' roll of JIPMER MBBS course without further notice. Despite granting such opportunity, the appellant failed to complete the course. Therefore, the respondents, vide proceedings dated 4.5.2021, removed the name of the appellant from the students live-list of JIPMER. The said decision of the respondents, in our considered opinion, was rightly not interfered with by the learned Single Judge. When the respondents, who are the experts in the field of education, have granted ample opportunity to the appellant to complete the course, even after the extended duration, the appellant had not chosen to



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complete the course. Courts cannot extend the time limit fixed by the respondents for completion of the course. The action of the respondents does not warrant any interference.

For the foregoing reasons, the writ appeal is dismissed by confirming the order passed by the learned Single Judge. There shall be no order as to costs. Consequently, C.M.P.Nos.15021 and 15024 of 2024 are closed.

(D.K.K., ACJ.) (K.B., J.)
23.07.2024

Index : No
NC : No

sasi

To:

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THE HON'BLE ACTING CHIEF JUSTICE
AND
K.KUMARESH BABU,J.

(sasi)

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