



WA No.108 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WA No.108 of 2024

Ravi Meena

: Appellant

versus

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: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge in WP No.34077 of 2022 dated 06.06.2023.

For the Appellant : Mr.S.Venkatesh
for Mr.E.Manoharan

For the Respondents : Ms.Sunita Kumari



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JUDGMENT

(Made by the Hon'ble Chief Justice)

We have heard Mr.S.Venkatesh, learned counsel for the appellant and Ms.Suita Kumari, learned counsel for the respondents.

2. The appellant is a student of MBBS Course. The appellant was admitted into the first year MBBS Course in the year 2009. The appellant could not clear the course within a period of nine years. The appellant was discharged from the course on 04.05.2021.

3. The learned Single Judge dismissed the writ petition. Aggrieved thereby, the present writ appeal.

4. The learned counsel for the appellant submits that one more opportunity be given to the appellant. It was due to circumstances beyond the control of the appellant, he could not complete the MBBS course. A final chance was given to the appellant for appearing in the examination in February, 2021 also. A further opportunity be given to him. The professional career of the appellant is at stake.



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5. In 11 years, the appellant could clear only two years of the MBBS course. He is yet to appear for third and fourth year MBBS course.

6. The rule existing as on the date when the appellant took admission was that the course has to be completed within eight years. Subsequently, the same was made as nine years. Even if we consider the best case of the appellant, by no stretch, the period could be extended beyond nine years. The appellant was given a long rope. Even in the year 2021, the appellant was permitted to appear for examination, i.e. after 11 years. However, the appellant could not clear the course. In the absence of any rule providing relaxation, extension of opportunity cannot be given. The learned Single Judge has not committed any error while dismissing the writ petition.

7. The writ appeal as such is dismissed. There shall be no order as to costs. Consequently, CMP No.643 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND

D.BHARATHA CHAKRAVARTHY, J.

(tar)

To

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