



WEB COPY



WP.Nos.30941, 30947 & 30945 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.Nos.30941, 30945 & 30947 of 2024

and

W.M.P.Nos.33529, 33534 & 33533 of 2024

Sunkara Lakshmi Supraja Meghana

.. Petitioner in W.P.No.30941 of 2024

Suda Darani Priyanka

.. Petitioner in W.P.No.30947 of 2024

Marisetty Sasi Lavanya Sri Tejaswi

.. Petitioner in W.P.No.30945 of 2024

Versus

1. The National Medical Commission

Represented by its Chairman

Pocket-14, Sector-8, Dwarka Phase-1

New Delhi

2. The Controller of Examinations

Pondicherry University

Pondicherry

3. The Indira Gandhi Medical College and Research Institute

Represented by its Chairman

Kathirkamam, Puducherry – 605 009

... Respondents in all WPs

Prayer in W.P.No.30941 of 2024: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to declare the petitioner bearing Registration No.21770756 as pass in the 1st Year Physiology and Bio- Chemistry Subjects by applying new Competency Based Medical Education (CBME) Guideline No.U.14021/8/2023-UGMEB, released by the 1st respondent dated 01.08.2023 in the light of the order passed by this Hon'ble Court in W.P.No.28674 of 2023 dated 24.11.2023 and the order passed by the Honble High Court of Kerala in W.P. (c) No. 34075 of 2023 in the case of *Antony P.Alappat Vs Kerala*



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University of Health Sciences and 3 others and thereby direct the respondents to allow the petitioners to write her 2nd year MBBS examinations commencing from 21st October 2024 onwards or on other subsequent dates.

Prayer in W.P.No.30947 of 2024: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to declare the petitioner bearing Registration No.21770754 as pass in the 1st year Bio-Chemistry Subjects by applying new Competency Based Medical Education (CBME) Guideline No.U.14021/8/2023-UGMEB, released by the 1st respondent dated 01.08.2023 in the light of the order passed by this Hon'ble Court in W.P.No.28674 of 2023 dated 24.11.2023 and the order passed by the Honble High Court of Kerala in W.P. (c) No. 34075 of 2023 in the case of *Antony P.Alappat Vs Kerala University of Health Sciences and 3 others* and thereby direct the respondents to allow the petitioners to write her 2nd year MBBS examinations commencing from 21st October 2024 onwards or on other subsequent dates.

Prayer in W.P.No.30945 of 2024: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to declare the petitioner bearing Registration No.21770680 as pass in the 1st Year Physiology and Bio- Chemistry Subjects by applying new Competency Based Medical Education (CBME) Guideline No.U.14021/8/2023-UGMEB, released by the 1st respondent dated 01.08.2023 in the light of the order passed by this Hon'ble Court in W.P.No.28674 of 2023 dated 24.11.2023 and the order passed by the Honble High Court of Kerala in W.P. (c) No. 34075 of 2023 in the case of *Antony P.Alappat Vs Kerala University of Health Sciences and 3 others* and thereby direct the respondents to allow the petitioners to write her 2nd year MBBS examinations commencing from 21st October 2024 onwards or on other subsequent dates.

In all WPs

For Petitioners : Mr.S.N.Ravichandran

For Respondents : Mrs.Shubaranjani Ananth for R1
Mrs.A.V.Bharathi for R2
Mr.S.Raveekumar for R3
Government Pleader (Puducherry)



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COMMON ORDER

WEB COPY Since the issue involved in these writ petitions are one and the same, these writ petitions are disposed of by way of this common order.

2. It is the case of the writ petitioners that they joined MBBS course in the third respondent college in the year 2022. During the year 2023, there were arrears, however, on 01.08.2023, new guidelines were issued for awarding the marks. Earlier 50% in aggregate (both papers together)was the minimum qualifying marks to pass in that subject. However, vide the new guidelines, i.e., on 01.08.2023, the minimum criteria for getting qualified is 40% of marks in aggregate in the subjects having two papers. Thus, the student was to obtain 50% of marks in aggregate and 60:40(minimum or 40:60 (minimum) in the University conducted theory and practical papers in order to be declared as passed. The very same issue is pending before the Division Bench of this Court in W.A.Nos.333 of 2024 etc., batch for the similarly situated person in participating the examination.

3. Heard both sides and perused the materials placed on record. In view of the order passed by the Division Bench of this Court, there shall be a direction to the respondents to allow the petitioners to participate the



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examination subject to result of the W.A.Nos.333 of 2024 etc., cases pending before the Division Bench of this Court. It is also made clear that if the similarly situated persons succeeds in the above cases, the petitioners shall enure the same benefit and the respondents are also directed to implement the order of the judgment in respect of the petitioners also.

4. Accordingly, these writ petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

15.10.2024

dhk

Index:Yes/No

Internet: Yes/No

Note: Issue Order Copy on 17.10.2024



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1. The Chairman
The National Medical Commission
Pocket-14, Sector-8, Dwarka Phase-1
New Delhi
2. The Controller of Examinations
Pondicherry University
Pondicherry
3. The Chairman
The Indira Gandhi Medical College and Research Institute
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