



W.P.No.33482 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.33482 of 2022
and W.M.P.No.32928 of 2022

Terance S.J

... Petitioner

Vs.

- 1.The Director of Health and Family Welfare Services
WRMM+46P,
Main Block of the Old Maternity Hospital Complex,
Victor Simonel Street,
Puducherry.
- 2.Pondicherry University,
Rep. by its Registrar,
R.V.Nagar, kalapet,
Puducherry – 605 014.
- 3.The Controller of Examinations,
Pondicherry University,
R.V.Nagar, Kalapet,
Puducherry – 605 014.
- 4.The Dean,
Sri Manakula Vinayagar Medical College & Hospital,
Kalthietherthalkuppam,
Puducherry – 605 107.
- 5.National Medical Commission,
Rep. by its Secretary,



W.P.No.33482 of 2022

Pocket-14, Sector-8, Dwaraka Phase-1,
New Delhi – 110 077.

... Respondents

WEB COPY

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 2 to 4 to permit the petitioner to take the ensuing supplementary examinations that commences on 12.12.2022 or any other date for master of Surgery (Orthopaedic course) in relation to the Theoreticals (4 papers) and practical (2 papers) and to publish the results thereof.

For Petitioner : M/s.H.Mary Sowmi Rexi
for Isaac Chambers

For Respondent 1 : Mr.Vasantha Kumar,
Additional Government Pleader

For Respondents 2 & 3 : Mr.A.V.Bharathi

For Respondent 5 : M/s.Shubharanjani Ananth

ORDER

This writ petition has been filed by the petitioners to direct the respondents 2 to 4 to permit the petitioner to take the ensuing supplementary examinations that commences on 12.12.2022 or any other date for master of Surgery (Orthopaedic course) in relation to the Theoreticals (4 papers) and practical (2 papers) and to publish the results thereof.



2. The case of the petitioner is that the petitioner joined Post Graduate Surgery in Orthopaedic Course with the fourth respondent Institution in the year 2016. Since he did not have requisite attendance during the academic year 2018-19 i.e., the third and final year of the course, he was required to re-do the course, which he did during the academic year 2021. Upon completion, he was allowed to take up the examination, which was held on April-May 2022. However, he failed to clear the examination. Hence, he applied for writing the supplementary examination, which was held on 12.12.2022. The petitioner was not issued the hall-ticket. His enquiry with the Pondicherry University revealed that the University relying upon the UGC guidelines, informed him that he must have completed the course within three years after the actual duration of the Course i.e., within academic year 2021-22. Thereafter, this Court vide its order dated 09.12.2022, issued an interim direction to respondents to permit the petitioner to appear for the supplementary examination and withheld the result. While so, this Court by its order dated 24.09.2024, directed the respondents to produce the results obtained by the petitioner, in a sealed cover before this Court on the next hearing of hearing i.e., on 03.10.2024.



W.P.No.33482 of 2022

WEB COPY

3. Today, When the matter was taken up for hearing, learned counsel appearing for the respondents filed a sealed cover before this Court and on perusal of the same, it came to the knowledge of the Court that the petitioner had failed in the aforesaid examination.

4. In view of the above, no further order is necessary in this writ petition. Accordingly, this writ petition stands closed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

03.10.2024

vm

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No



WEB COPY



W.P.No.33482 of 2022

To:

- 1.The Director of Health and Family Welfare Services
WRMM+46P,
Main Block of the Old Maternity Hospital Complex,
Victor Simonel Street,
Puducherry.
- 2.Pondicherry University,
Rep. by its Registrar,
R.V.Nagar, kalapet,
Puducherry – 605 014.
- 3.The Controller of Examinations,
Pondicherry University,
R.V.Nagar, Kalapet,
Puducherry – 605 014.
- 4.The Dean,
Sri Manakula Vinayagar Medical College & Hospital,

Page No.5 of 7



W.P.No.33482 of 2022

Kalitheerthalkuppam,
Puducherry – 605 107.

WEB COPY

5.National Medical Commission,
Rep. by its Secretary,
Pocket-14, Sector-8, Dwaraka Phase-1,
New Delhi – 110 077.

M.DHANDAPANI,J.

vm

W.P.No.33482 of 2022



WEB COPY



W.P.No.33482 of 2022

03.10.2024