



W.A.No.2752 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.A.No.2752 of 2022 and

CMP No. 22368 of 2022

The Controller of Examination,
Pondicherry University, R.Venkat Raman Nagar,
Kalapet, Puducherry 605 014.

... Appellant

Vs.

1.Vishalini. R.

2. Indira Gandhi Medical College and
Research Institute (IGMCRI),
Rep. by its Dean, Kadirkamam,
Puducherry.

3. The Medical Council of India,
Rep. by its Secretary, MCI Building Pocket-14,
Sector-8, Dwarka Phase-I,
New Delhi 110 077.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act to set aside the order passed in W.P.No.18646 of 2022, dated 08.11.2022 as devoid of merits and unsustainable in law.



W.A.No.2752 of 2022

For Appellant : Ms.A.V.Bharathi

For Respondents : No appearance for respondents 1 and 2
Not ready notice regarding third respondent

JUDGMENT

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

The learned counsel appearing for the appellant submitted before this court that, as per the interim direction given by the writ court, re-evaluation was done by the University on the answer script of the first respondent in part-II bachelor of Medicine and Bachelor of surgery examinations, March 2022 and the result of the same was put in a sealed cover and it was produced before the writ court. On seeing the results, the learned Single Judge had erroneously held that the first respondent had fell short of only one mark to reach the minimum qualifying mark in that particular subject; and by taking 15 marks, awarded to the first respondent in the evaluations conducted, as per the direction of the court, has arrived to total of 25 out of 50 marks and concluded that the first respondent reached 50% goal.

2. According to the appellant, the university never awarded 2 marks as grace mark to the first respondent for the subject, while publication of results, since she did not obtain the minimum mark to avail the Grace



W.A.No.2752 of 2022

marks and she got only 22 marks, which includes Theory Mark-14; and oral- 8 marks; Totally - 22 marks. Hence, this writ appeal has been filed.

3. The learned counsel for the appellant further submitted that, pending writ appeal, the first respondent has appeared in the Examination held during March/April 2023 and passed the final year MBBS paper entitled "Paediatrics" and completed the course and necessary provisional Certificate-I, vide Register Number 17770745, Folio No.00052421, dated 27.06.2023 was also sent to the concerned college on 30.06.2023. In view of the above, the prayer sought for in the writ appeal has become infructuous and nothing survives for further adjudication. To that effect, she also produced the letter sent by the Controller of Examination, Pondicherry University Examination Wing to the Assistant Registrar, Legal Cell, Pondicherry University, dated 20.09.2023 before this court.

4. Recording the above, this writ appeal is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Internet: Yes/No
Index : Yes/No
mst

(D.K.K.J.) (K.B.J.)
04.07.2024



W.A.No.2752 of 2022

To
WEB COPY

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Kadirkamam, Puducherry.
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W.A.No.2752 of 2022

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