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WP No. 18804 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 18804 of 2025

Rahul Prasadh
S/o Dhanasekar
3/37B, Rangapandi Street, Kurichi
Coimbatore South, Sundarapuram
Coimbatore District 641 024

Petitioner

Vs

1. The Registrar
Tamil Nadu Veterinary and Animal
Sciences University
Madhavaram Milk Colony
Chennai 600 051
2. The Vice-Chancellor
Tamil Nadu Veterinary and Animal
Sciences University
Madhavaram Milk Colony
Chennai 600 051
3. The Dean
Madras Veterinary College, TANUVAS
Vepery, Chennai 600 007



4. The Secretary,
Ministry of Fisheries, Animal
Husbandry and Dairying
Krishi Bhawan
Dr. Rajendra Prasad Road
New Delhi 110 001

5. Veterinary Council of India
Rep. by its Secretary
A-Wing, 2nd Floor,
August Kranti Bhawan
Bhikaji Cama Palace
New Delhi 110 066
(R4 & R5 impleaded vide order
dated 06.10.2025 made in
WMP.29485/2025 in WP.18804/2025)

Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare Regulation 17(1) of the MSVE Regulations, 2016 as unconstitutional, being violative of Articles 14, 15(4) and 21 of the Constitution of India, or in the alternative, be please to read down the said regulation to allow exceptions in genuine and exceptional cases.

(Prayer amended vide order dated 11.09.2025 made in WMP.29483/2025 in WP.18804/2025)

For Petitioner : Mr. Gokulakrishnan T

For Respondents: Mr. S. Vijayakumar
Senior Counsel for
Mr. A. V. Balusamy for R1 to R3
Mr. S. Diwakar
Senior Panel Counsel for R4



ORDER

WEB COPY This writ petition has been filed seeking for a declaration to declare Regulation 17(1) of the Veterinary Council of India Minimum Standards of Veterinary Education (Bachelor of Veterinary Science and Animal Husbandry-Degree Course) Regulations, 2016 as unconstitutional and violative of Articles 14, 15(4) and 21 of the Constitution of India.

2. Heard the learned counsel for petitioner, learned Senior Counsel appearing on behalf of the respondents 1 to 3 and the learned Senior Panel Counsel appearing on behalf of the fourth respondent.

3. The petitioner is governed by the Veterinary Council of India Minimum Standards of Veterinary Education (Bachelor of Veterinary Science and Animal Husbandry-Degree Course) Regulations 2016, which was framed under the Indian Veterinary Council Act, 1984. For the facts of the present case, Regulation 17 is relevant and the same is extracted hereunder:-

“17. Compartmental examination.--(1) A student failing in a maximum of two subjects only may be allowed to appear in compartment examination for those subject(s) and the compartment examination shall comprise of the annual component of both the theory and practical of the failed subject(s) which



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shall constitute 40 and 40 per cent weightage, respectively, and the marks obtained in internal assessment of theory shall be considered for the evaluation of compartment examination.

(2) The compartment examination shall be conducted within twenty calendar days of subsequent year registration and if the student fails in the compartmental examination, he or she shall be reverted back to the original class and the results of such compartment examination shall be declared within ten days after the examination is conducted.”

4. The grievance of the petitioner is that the petitioner had failed in all the five subjects in the second year in the annual final examination and the petitioner is not permitted to go to the next year without clearing those subjects and that the petitioner was not permitted to participate in the compartmental examination for those subjects.

5. Initially, the petitioner had challenged the impugned letter of the first respondent dated 02.05.2025, wherein the petitioner was informed that as per the Regulations, only those students failed in a maximum of two subjects will be permitted to take the compartmental examination and since the petitioner had failed in five subjects, he will not be permitted to appear in the compartmental



examination and unless he clears those papers, he will not be permitted to go to the next year and therefore the petitioner must re-do the second year once again.

Since the above letter was issued to the petitioner based on the Regulations, the petitioner favourably obtained an order for amendment of the prayer and challenged the Regulation 17(1) of the Veterinary Council of India Minimum Standards of Veterinary Education (Bachelor of Veterinary Science and Animal Husbandry-Degree Course) Regulations, 2016 as unconstitutional and violative of Articles 14, 15(4) and 21 of the Constitution of India.

6. The Tamil Nadu Veterinary and Animal Science University is following the Regulations framed by the Veterinary Council of India and these Regulations are in force for a long period of time. As per Regulation 17(1), students failing in a maximum of two subjects alone will be allowed to appear in the compartmental examination for those subjects and a student, who fails in more than two subjects, will have to re-do that particular year and must complete the papers before being permitted to the next year.

7. The petitioner has challenged the impugned regulation mainly on the ground that this regulation is arbitrary and it is discriminatory as against the veterinary students, since in the other professional courses like Engineering Degree, MBBS Degree, Law Degree etc., the students are permitted to move to the next year and are permitted to take the arrears examination to clear the papers which they have failed. Only insofar as the veterinary students are



concerned, an arbitrary cut-off has been fixed to the extent that those students who have failed in more than two subjects, are compulsorily made to re-do the same year and to clear the papers before going into the next year.

8. When the petitioner challenges the impugned regulation on the ground of arbitrariness, the petitioner cannot compare the regulation with the other regulations available for other professional courses. While dealing with the issue of discrimination, the Court cannot compare apples to oranges. Each professional course has its own regulations and a student cannot claim that the regulation which is more flexible for another professional course should be employed for the veterinary course also. That is not the ground while testing the regulation under Article 14 of the Constitution of India.

9. In the considered view of this Court, the Veterinary Council of India is expecting a particular standard from the students who undergo the course. Therefore, the students, who had failed in more than two subjects, are made to re-do the same year before they go into the next year after clearing the papers. This stipulation, by no stretch, can be held to be unconstitutional or arbitrary. This stipulation has been fixed only to maintain high standards of education. The regulation gives an opportunity to a student who has failed only in two subjects to write the compartmental examination and to move into the next year. The same treatment cannot be extended to a person who has failed in all the subjects and he cannot claim that he must also be permitted to write the



compartmental examination and must be permitted to move to the next year.

Such a claim made by the petitioner is not sustainable and the ground that has been raised by the petitioner to challenge Regulation 17(1) as violative of Article 14 has no legs to stand.

10. The petitioner has also challenged the said regulation under Article 21 of the Constitution of India. This article deals with life and personal liberty, thereby the petitioner has not been deprived of undergoing the course. The petitioner has only been asked to re-do the course, since the petitioner has failed in all the five subjects. By no stretch it can be held to be in violation of the personal liberty of the petitioner. It gives an opportunity for the petitioner to improve himself by redoing the same year and complete those papers before moving to the next class. This will only help the petitioner in improving his standards and that it will not interfere with his personal liberty.

11. In the light of the above discussion, this Court does not find any ground to interfere with the impugned regulation or the letter issued by the first respondent directing the petitioner to re-do the second year course. Accordingly, finding no merits whatsoever, this writ petition stands dismissed. The petitioner shall re-do the second year and write the examination for all the papers, clear the same and thereafter proceed to the next year. However, the petitioner has not been permitted to join the second year, since he did not apply for the same. Since the writ petition has now been rejected, there shall be a direction to the



petitioner to apply for the second year within a period of one week from today and the same shall be entertained and the petitioner will be permitted to re-do the second year course. Consequently, W.M.P.Nos.21054, 21057, 21059 & 29486 of 2025 are also dismissed. No costs.

27-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

**Registry is directed to upload/
issue copy of the order today**

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To

1. The Registrar
Tamil Nadu Veterinary and Animal
Sciences University
Madhavaram Milk Colony
Chennai 600 051
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**N.ANAND
VENKATESH J.**

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