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W.P.No.37748 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.37748 of 2025
and W.M.P.No.42214 of 2025

1. Harka Ram
2. Prahalad Ram

... Petitioners

-Vs-

1. The National Medical Commission,
Pocket 14, Sector - 8,
Dwarka Phase - 1,
New Delhi, India 110077.
2. The Director of Medical Education,
Government of Tamil Nadu,
DPI Complex,
College Road,
Chennai 600 006.
3. The Vice Chancellor,
Tamil Nadu Dr.M.G.R Medical University,
No.69, Anna Salai,
Guindy, Chennai 600 032.
4. The Controller of Examinations,
Tamil Nadu Dr.M.G.R Medical University,
No.69, Anna Salai,
Guindy, Chennai 600 032,



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5. The Principal,
Kanyakumari Government, Medical College,
Asari Pallam,
Tamil Nadu Pincode 629201.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the Discharge Order Ref.No.EX.I (3)/02593 /2023 dated 29.11.2024 issued by the third respondent, quash the same as illegal, arbitrary and violative of natural justice, and consequently direct the second respondents to permit us one additional mercy attempt (fifth attempt) to complete our First Year MBBS examinations.

For Petitioners	: Ms.R.Abirami
For R1	: Mrs.V.Sudha Senior Panel Counsel
For R2 and R5	: Mr.K.Tippu Sulthan Government Advocate
For R3 and R4	: Mr.A.Mohammed Gouse Standing Counsel

ORDER

This writ petition has been filed challenging the order passed by the third respondent dated 29.11.2024, thereby discharging the petitioners from their candidature for the MBBS course.

2. Heard the learned counsel on either side and perused the materials available on record.



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3. The petitioners had joined MBBS course in the first year at Kanyakumari Government Medical College, through NEET UG 2021-2022.

However, the petitioners failed to complete the physiology papers even during the fourth attempt. Since the petitioners failed to complete the first year examination within the permissible attempt i.e. 4 attempts, the candidature of the petitioners were discharged from the medical course.

4. A perusal of records revealed that the National Medical Commission had allowed the mercy attempt by the circular dated 12.05.2023 for the academic year 2019-2020 to the students of the year 2021 batch as one-time measure considering Covid-19 pandemic. However, no such provision or relaxation were made available for the students of 2021-2022. The petitioners were given four attempts to clear the first year examination. Though they passed in all the examinations, they got failed in physiology. Therefore, not more than four attempts shall be permitted for a candidate to pass the provisional examination of the MBBS course. Therefore, the petitioners were rightly discharged from their candidature. That apart, even after the impugned order dated 29.11.2024, the petitioners filed a writ petition before this Court in W.P.No.24526 of 2025 for direction directing the respondents to permit the



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petitioners one mercy time to appear for and to clear the remaining subjects in the first year MBBS examinations. It was dismissed by an order dated 11.08.2025.

5. A perusal of the order passed by this Court revealed that as per the National Medical Commission, the petitioners were already discharged by an order dated 06.02.2025 and as such, they were given liberty to challenge the discharge and relieving orders dated 06.02.2025. But the petitioners were discharged from their candidature by the impugned order in this writ petition dated 29.11.2024.

6. In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent dated 29.11.2024 and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed.

No costs.

09.10.2025
(½)

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
mn



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