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W.P.No.44719 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.44719 of 2025

A.Kala w/o. K.Manivannan

... Petitioner

Vs

1. All India Council for Technical Education,
Rep. By its Chairman,
Head Office,
Nelson Mandela Marg, Vasanth Kunj,
New Delhi – 110 070.

2. Regional Officer,
All India Council for Technical Education,
Shastri Bhawan,
Haddows Road,
Chennai – 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for an issuance of Writ of Declaration, declaring that the petitioner had secured the pass mark of 40 in the examination conducted on 03/04.06.2018 by the respondents for the AICTE deemed to be University Engineering Validation Examination 2018 (June 2018) and consequently, direct the respondents to either add three marks to the marks already secured or round off the petitioner's marks from 39.29% to 40% and declare to have passed the examination and issue necessary certificate to the petitioner within the time frame stipulated by this Court.



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For Petitioner : M/s.Balan Haridas
For Respondents : Mr.B.Rabu Manohar
Senior Standing Counsel

ORDER

This petition is filed for declaration to declare that the petitioner had secured the pass mark of 40 in the examination conducted on 03.06.2018 and consequently direct the respondents to either add 3 marks to the marks already secured or round off the petitioners marks from 39.29% to 40% and to declare the petitioner to have passed the examination and issue necessary certificate to the petitioner.

2. Upon hearing *Mr.Balan Haridas*, the learned Counsel for the petitioner and perusing the affidavit filed in support of the writ petition, the grievance of the petitioner is that after the petitioner underwent the theory and practical in respect of the Electrical and Electronics Engineering, the results were declared. In and by which, out of the total marks of 420, the petitioner has obtained 165 by totaling all the four papers of Theory-I, Theory-II, Lab-I and Lab-II. When the aggregate is calculated, instead of 40% minimum, it turns out to be only 39.3%. The petitioner, therefore, pleads for rounding off. It is stated that in respect of the similar engineering courses across the country, several High Courts have passed the orders directing rounding off. It can be



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seen that it includes rounding off in respect of percentages less than 39.5 also.

The details that are given in ground number (d) of the writ petition is extracted hereunder for ready reference:

No.	Case No.	Court	Order date	Petitioners	Respondent	Mark % Relief granted
1	W.P 22396/2021	High Court, Telangana	12-10-2022	S.Nithyanand	AICTE	39.76% to 40% Rounded off
2	W.P.(C) 9628/2019	High Court, Delhi	03-08-2023	Manoj Kumar	AICTE	39.76% to 40% Rounded off
				Subhash Chandra Das	AICTE	39.52% to 40% Rounded off
				Bhavesb Sheladiya	AICTE	39.76% to 40% Rounded off
				Arnas Majumde	AICTE	39.52% to 40% Rounded off
				Sandeep Pandey	AICTE	39.05% to 40% Rounded off
3	WP 7581/2019	High Court, Madhya Pradesh	02-01-2024	Yogesh Dubey	AICTE	39.05% to 40% Rounded off
4	W.P.(C)8910 /2024 & CM APPL.15304/ 2024	High Court, Delhi	08-08-2024	Manoj Kumar	AICTE	39.76% to 40% Rounded off
5	W.P.(C)1104 3/2019	High Court, Delhi	30-08-2024	Shaily Gupta	AICTE	39.29% to 40% Rounded off
6	W.P.(C)1807 /2024	High Court, Delhi	04-11-2024	Yoginder Singh Mank	AICTE	39.80% to 40%
7	W.P.(C)1586 2/2024	High Court, Delhi	04-11-2024	Vinod Kumar Rani	AICTE	39.52% to 40% Rounded off
8	W.P.(C)1642 5/2024	High Court, Delhi	27-11-2024	Mukesh Kumar	AICTE	39.29% to 40% Rounded off
				Arvind Sharma	AICTE	39.29% to 40% Rounded off

3. Therefore, the learned Counsel for the petitioner pleads that in petitioner's case also, the mark can be rounded off and declared to have been passed as the minimum is 40%.



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4. *Mr.B.Rabu Manohar*, learned Senior Counsel appearing on behalf the respondents / AICTE would oppose the said prayer. He would submit that it is true that in some cases, orders have been passed to round off. In this case, it is not a mark in respect of a particular case, but is an aggregate of percentage of marks in all the four examinations including two theory and two lab examinations. In that kind of aggregate, it may not be logical to round off. While the AICTE and the other respondents have implemented several orders passed by the High Courts, it is found that more orders are being passed. On the basis of one of the orders of the Punjab and Haryana High Court, the AICTE has preferred an appeal before the Hon'ble Supreme Court of India and the SLP has also been entertained and interim relief has been granted. In view thereof, the prayer for rounding off is opposed by the respondents.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. It can be seen that as far as the judgment against which the respondents have preferred SLP, the Punjab and Haryana High Court has given a general direction in respect of students of 4 deemed to be universities, as per the modalities framed prior to the examinations. Thus, it can be seen that the present scenario is different and is similar to the situation prevalent in respect



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of matters where the Delhi High Court and Madhya Pradesh High Court have passed the orders, directing rounding off. As a matter of fact, it is brought to the notice of this Court that the said orders were implemented by the respondents. As a matter of fact, this Court also had been following the rounding off principle or by relying upon the earlier judgements of the Hon'ble Supreme Court of India and on the basis of logic that the marks that end up in fraction be rounded off. A similar view has been taken by this Court in ***Subasrikumar Vs.The Registrar, The Tamil Nadu Dr.M.G.R. Medical University*** in W.P.No.46615 of 2025 dated 09.12.2025, wherein paragraphs 6 and 7 it was held that when the prescribed pass mark is 40%, the candidate who secures 39.29% is entitled to have the same rounded off to 40% and be treated as having passed. The same was directed after taking into consideration of the Judgment by the Hon'ble Supreme Court of India.

7. So long as 40% is ascertained only from the aggregate, it cannot be treated as if it is the percentage obtained by the candidate, and it is the minimum marks that is obtained by the candidate. When the Rule requires 40% of marks, the petitioner has obtained marks in fraction and if it is rounded off to the next number, it becomes 40 and the petitioner is eligible to be declared as pass.



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8. In view thereof, this Writ Petition stands allowed. The respondents are directed to round off the petitioner's mark from 39.29% to 40%; and declare the petitioner to have passed the examination; and to issue the necessary certificate to the petitioner within a period of three (3) weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order. No costs.

10.12.2025

Neutral Citation: Yes
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D.BHARATHA CHAKRAVARTHY, J.

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To

1. All India Council for Technical Education,
Rep. By its Chairman,
Head Office,
Nelson Mandela Marg, Vasanth Kunj,
New Delhi – 110 070.
2. Regional Officer,
All India Council for Technical Education,
Shastri Bhawan,
Haddows Road,

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