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W.P.os.46137, 42641 and 43650 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Orders reserved on : 11.12.2025

Orders pronounced on : **17.12.2025**

CORAM :

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.Nos.46137, 42461 and 43650 of 2025  
and W.M.P.No.47693 of 2025

**In W.P.No.46137 of 2025:-**

Shakthi Shyam R

.. Petitioner

**Versus**

1. The Dean,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.
2. Vice Chancellor Convenor Committee,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.
3. The Registrar,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.
4. The Director,  
The Tamil Nadu Dr.Ambedkar Law University  
Perungudi Campus, Perungudi,



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Chennai – 600 113.

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5. The Controller of Examination,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.

6. The Bar Council of India,  
Represented by its Secretary,  
21, Rouse Avenue Institutional Area,  
Near Bal Bhawan,  
New Delhi – 110 002.

(R6 – Suo Motu impleaded vide order of this Court  
dated 02.12.2025 in W.P.No.46137 of 2025)

.. Respondents

**In W.P.No.42641 of 2025:-**

B.Vadhanan

.. Petitioner

**Versus**

1. The Registrar,  
The Tamil Nadu Dr.Ambedkar Law University (TNDALU),  
Perungudi Campus,  
Chennai – 600 113.

2. The Dean,  
School of Excellence in Law (SOEL),  
The Tamil Nadu Dr.Ambedkar Law University (TNDALU),  
Perungudi Campus,  
Chennai – 600 113.

3. The Bar Council of India,



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Represented by its Secretary,  
21, Rouse Avenue Institutional Area,  
Near Bal Bhawan,  
New Delhi – 110 002.

(R3 – Suo Motu impleaded vide order  
dated 02.12.2025 in W.P.No.42641 of 2025)

.. Respondents

**In W.P.No.43650 of 2025:-**

A.Miruthula Shre

.. Petitioner

**Versus**

1. The Registrar,  
The Tamil Nadu Dr.Ambedkar Law University,  
“Poompozhi”,  
No.5, Dr.D.G.S. Dinakaran Salai,  
Chennai – 600 028.
2. The Controller of Examinations,  
The Tamil Nadu Dr.Ambedkar Law University  
“Poompozhi”,  
No.5, Dr.D.G.S. Dinakaran Salai,  
Chennai – 600 028.
3. The Principal,  
The Government Law College,  
Marudhamalai Road  
Aerodrome Post,  
Near Baharathiyar University,  
Coimbatore – 641 046.
4. The Bar Council of India,  
Represented by its Secretary,  
21, Rouse Avenue Institutional Area,  
Near Bal Bhawan,

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New Delhi – 110 002.

5. The University Grants Commission,  
Represented by its Secretary, Bahadur Shah Zafar Marg,  
New Delhi – 110 002.

(RR4 and 5 – Suo Motu impleaded vide order  
of this Court dated 03.12.2025 in  
W.P.No.43650 of 2025)

.. Respondents

**Prayer in W.P.No.46137 of 2025 :** Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to consider the petitioner's representations and also reconsider the direction requiring petitioner to re-do the academic year and to direct the respondents to permit the petitioner to appear for the IV year B.C.A., L.L.B. (Hons.) Odd Semester Examinations (2025 – 2026).

**Prayer in W.P.No.42461 of 2025 :** Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 03.11.2025 and permit the petitioner to take his 7<sup>th</sup> semester LLB examination conducted by respondents 1 and 2, scheduled to commence on 07.11.2025.

**Prayer in W.P.No.43650 of 2025 :** Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent No.3 herein to issue Hall Ticket and permit the petitioner to write her 7<sup>th</sup> semester examination scheduled to be held from 13.11.2025 by considering petitioner's



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representation dated 07.11.2025 within a stipulated timeline fixed by this Court and pass such further or other orders.

**In W.P.No.46137 of 2022:-**

For Petitioner : Mr.Bageerathan  
For Respondents : Mr.Sivashanmugam for RR-1 to 5  
: Mr.S.R.Raghunathan for R6

**In W.P.No.42641 of 2022:-**

For Petitioner : Mr.P.M.Subramaniam,  
Senior Counsel,  
for Mr.Manoj Sreevatson  
For Respondents : Mr.M.Nallathambi, for RR-1 and 2  
: Mr.S.R.Raghunathan, for R3

**In W.P.No.43650 of 2022:-**

For Petitioner : Mr.P.Vetrivel,  
for Mr.B.M.Subash  
For Respondents : Mr.Arunkumar Rajan, for RR-1 and 2  
: Mr.C.Gauthamaraj,  
Government Advocate for R3  
: Mr.S.R.Raghunathan for R4  
: Ms.Sudha, for R5

**COMMON ORDER**



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The Writ Petition in W.P.No.42641 of 2025 is filed by *B.Vadhanan*, a IV

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year student of the School of Excellence in Law, Tamil Nadu Dr.Ambedkar Law University, seeking a direction to the respondents to consider his representation, dated 03.11.2025 and allow him to take his VII semester LL.B., examination. He was unable to attend the VII semester classes from August, 2025 to October 2025 due to an acute lumbar strain, which, on medical advice, prevented him from travelling to college. The medical certificate and the documents evidencing the diagnosis and treatment are filed along with the Writ Petition. As a result, his attendance dropped to 44%, below the mandatory 70%. The university did not permit him to write the examination. As per the university rules, he must redo the course next year. The petitioner is therefore before this Court. The examination was scheduled to start on 07.11.2025. Under these circumstances, the petitioner filed this Writ Petition on 04.11.2025, and an interim order was granted on 05.11.2025, allowing him to appear for the examination without prejudice to the parties' rights. Subsequently, the papers were directed to be valued, and the results were to be kept in a sealed cover.

2. The Writ Petition was resisted by the respondent – University. A counter affidavit was filed. The details of the classes attended by the petitioner from

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June, 2025 to October, 2025 are given. It is stated that as per Rule-12, Chapter-I

of the Rules of Legal Education framed by the Bar Council of India, 70% of attendance is mandatory, and the University can condone up to 5%. Candidates securing less than 65% of attendance cannot be permitted to write the examination. For the benefit of students falling short, the University also conducts special classes so that the students can meet the minimum requirements, but, the petitioner also did not attend those. If the petitioner's case is considered, it will set a precedent for everyone.

3. During the course of arguments, two additional affidavits are filed on behalf of the student that he will attend the classes without any default with reference to the VIII Semester. He is also ready to undertake special classes or other directions, such as assignments, library work, or other tasks, to compensate for the shortfall.

4. W.P.No.43650 of 2025 is filed by *A.Miruthula Shre*. She is pursuing her IV year LL.B degree at the Government Law College, Coimbatore. On 28.07.2025, while traveling to her college by train, she suddenly fainted and was admitted to K.G. Hospital, Coimbatore, where her RPG was recorded at 490

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mg/dl and she was diagnosed with Diabetes Mellitus, requiring continuous treatment. The medical certificate and records are produced. Therefore, she was irregular in attending classes and has only 36.9% attendance. When she applied for the VII semester examination, her name was shown in the "Redo the course" list. As the examinations were about to commence on 13.11.2025, the Writ Petition was filed on 10.11.2025. An interim order permitting her to write the examination, without prejudice to the rights of the parties, was granted on 12.11.2025.

5. The Writ Petition is resisted by the respondents. The Principal of the college filed a counter affidavit, detailing the petitioner's attendance. It is stated that the petitioner has only 36.9%, which is significantly less than the mandatory 70% as prescribed under the rules and the condonable limit of 5%. Medical conditions cannot be used as a ground to bypass academic standards. The college does not have the authority to condone deficiencies. Furthermore, a notice was posted on the college notice board in July, 2025, warning the students about this situation.

6. W.P.No.46137 of 2025 is filed by *Shakthi Shyam R.* He is pursuing IV

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year B.C.A., LL.B. (Hons) at the School of Excellence in Law, Tamilnadu

Dr.Ambedkar Law University. He was diagnosed with a gastric ulcer. His father is a mechanic by profession, and his mother is a housewife. He will be the first graduate in his family and is economically weaker. He had to work part-time as a barista at Starbucks Coffee to support his family income, which includes his younger sister's education expenses. Under these circumstances, he fell short of attendance. He has only 41%.

7. The respondents also resist this Writ Petition. Since it came up for admission only on 12.12.2025 and was taken up with the other cases, no separate counter affidavit is filed in the present matter.

8. *Mr.P.M.Subramaniam*, the learned Senior Counsel leading the arguments on behalf of the petitioners, submits that as per the judgment of the Hon'ble Division Bench of the Delhi High Court in ***In Re: Suicide Committed by Sushant Rohilla, Law Student of I.P. University***<sup>1</sup>, the respondents are not entitled to prevent the students from writing the examinations, for the reason of shortage of attendance. The shortage can be made good by other activities such as

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<sup>1</sup>2025 SCC OnLine Del 7920  
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compensatory/special classes, assignments, library works, moot courts etc. It would have a grave impact on the psyche of the student, if made to sit at home for a full period of one year. The learned Senior Counsel also submits that these are exceptional cases which has come up and the Court shall interfere in the matter, especially, considering the undertaking given by the student that he will regularly attend the classes in the VIII semester and also will take all such extra/compensatory classes and perform such additional activities that are required of him.

9. The learned Counsel, *Mr.P.Vetrivel* for *Mr.B.M.Subash* and *Mr.S.Bageerathan*, appearing for the other petitioners, supplemented the submissions and also highlighted the plight of the respective petitioners.

10. The learned Counsel appearing for the University *Mr.M.Nallathambi*, *Mr.Sivashanmugam* and *Mr.Arunkumar Rajan* in the respective Writ Petitions, submits that already, the staff are overworked and cannot be burdened with any further compensatory classes. Approximately 28 colleges fall under the Tamil Nadu Dr.Ambedkar Law University. 99% of the students have attendance. Less than 1% of students do not attend college for various reasons and are required to



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repeat the course. No other alternative is permissible. A Division Bench of this

WEB COPY Court in *Amith Minsha.S Vs. The Tamil Nadu Dr.Ambedkar Law University and Anr. (W.P.No.27689 of 2022)* has held that even flipping of semesters as impossible, and hence they have to redo the course in the next year. It is true that other universities have a catch-up rule/flipped semester rule, and the students do not waste a full year. But that decision has to be taken by the Academic Council and the other statutory bodies of the University as per procedure, and it is for the academicians to consider the same. As of the date, the present regulations are only followed.

11. *Mr.S.R.Raghunathan*, learned Counsel appearing for the Bar Council of India, submits that the Bar Council of India is aggrieved by the directions of the Delhi High Court, with reference to attendance and has already preferred a Special Leave Petition on the file of the Hon'ble Supreme Court of India. Any compromise on the attendance rule would reduce the course as a correspondence course. The Hon'ble Committee for Legal Education is duly constituted and under their guidance, the Rules are framed. Situations throughout the country was not placed before the Delhi High Court. In the State of Tamil Nadu, there were situations, where candidates attended letter pad colleges, who gave

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attendance for money and the candidates when summoned before this Court and asked about the subjects, they only said 'civil and criminal'. Students of all walks of life and background are taken into account while framing the rule. There can be no reason to relax the academic standards. Capability of self learning by itself will not be a substitute for the class room learning.

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

13. The Advocates Act, 1961 entrusts to the Bar Council of India the function to promote legal education and lay down standards of such education in consultation with the Universities in India and the State Bar Councils. It also enables them to recognise the Universities whose degrees in law shall be a qualification for enrollment as an Advocate and to do other things necessary in respect of the aforesaid functions. Section 7(1)(h), (i) and (m) of the Advocates Act, 1961 are extracted hereunder for ready reference:-

**“7. Functions of Bar Council of India--**The functions of the Bar Council of India shall be—

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(h) to promote legal education and to lay down standards of such education in consultation with the Universities in India imparting such education and the State Bar Councils;

(i) to recognise Universities whose degree in law shall be a qualification for enrolment as an advocate and for that purpose to visit and inspect Universities or cause the State Bar Councils to visit and inspect Universities in accordance with such directions as it may give in this behalf;

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(m) to do all other things necessary for discharging the aforesaid functions.”

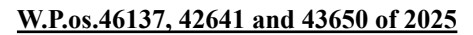
14. Section 10 of the Advocates Act, 1961, also directs the constitution of Committees other than disciplinary committees. Section 10(2) enjoins upon the Bar Council of India to constitute a Legal Education Committee consisting of 10 members, of whom five shall be persons elected by the Council from among its members, five shall be persons co-opted by the Council who are not members thereof. Section 10(2)(b) of the Act reads as under:-

**“10. Constitution of committees other than disciplinary committees**

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. .

(2) The Bar Council of India shall constitute the following standing committees, namely:— (b) a legal education committee consisting of ten members, of whom five shall be persons elected by the Council from amongst its members and five shall be persons co-opted by the Council who are not members thereof.”

15. The rule making power is also vested in the Bar Council of India under Section 49 of the Act and Section 49(1)(i)(d) is extracted hereunder for ready  
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**“49. General power of the Bar Council of India to make rules**

(d) the standards of legal education to be observed by Universities in India and the inspection of Universities for that purpose;”

**“1.Title and Commencement:-** (a) These Rules including the Schedules may be known as Rules of Legal Education - 2008 (b) These Rules shall come into force in whole of India as soon as notified. (c) These Rules shall replace all previous Rules, Directives, notifications and resolutions relating to matters covered under these rules.

**10. Semester system:-** The course leading to either degree in law, unitary or on integrated double degree, shall be conducted in semester system in not less than 15 weeks for unitary degree course or not less than 18 weeks in double degree integrated course with not less than 30 class-hours per week including tutorials, moot room exercise and seminars provided there shall be at least 24 lecture hours per week. Provided further that in case of specialized and/or honours law courses there shall be not less than 36 class-hours per week including seminar, moot court and tutorial classes and 30 minimum lecture hours per week. Provided further that Universities are free to adopt trimester system with appropriate division of courses per trimester with each of the trimester not less than 12 weeks.

**12. End Semester Test:-** No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together.



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The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India.”

17. Regarding the competence of the Bar Council of India, the Hon’ble Supreme Court of India in *Dr.Haniraj L Chulani Vs. Bar Council of Maharashtra and Goa*<sup>2</sup> held that the Advocates Act, 1961, is a complete code for regulating legal education and the professional qualification of aspirants seeking entry into the legal profession. The Hon’ble Division Bench of this Court in *L.Meenakshi Sundaram Vs. The Director of Legal Studies*<sup>3</sup> delineated the powers of the Bar Council of India and the scope of interference by the Courts. It is essential to extract paragraph No.16 of the said judgment, which reads as follows:-

“16. Thus, it will be seen that the Constitution itself provides that any law relating to the professional qualifications necessary for practising any profession or carrying on any occupation, trade or business will be valid and cannot be said to be in any way derogatory to the right of a citizen under Art. 19 (1) (g) of the Constitution of India. From what we have pointed out, it is clear that the prescription made by the Bar Council of India in the rules framed by them regarding attendance in a regular course in a college or the prescription regarding a particular percentage of attendance at such lectures in law relating to the professional qualification necessary for practising the profession of an advocate and is consequently saved by Art. 19(6) of Constitution of India. It cannot be said that the prescription requiring that a candidate should obtain a law degree after undergoing a regular course of three years, attending classes, and

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<sup>2</sup>(1996) 3 SCC 342

<sup>3</sup>1980 SCC OnLine Mad 173



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that he should have put in an attendance of 66 per cent of the lectures in each of the subjects has no relevancy to the standards of legal education as a qualification for admission to the profession of an Advocate, and therefore, will not fall within the scope of Art. 19(5) of the Constitution of India. Courts are not concerned with the wisdom of a particular body in laying down a particular prescription or standards, and Courts are only concerned with their competence to lay down such standards or make prescriptions, and whether those standards or prescriptions affect the legal as right of a citizen in any manner. So long the standards of prescriptions fall within the competence of the body, which the Parliament has chosen as the expert body to be entrusted with the right to lay down standards and make prescriptions, Courts are not concerned with the wisdom thereof, but are concerned only with their competency or constitutionality. For the reasons already indicated, the Rules of the Bar Council of India not only come within the competence of the Bar Council of India, but are also constitutional and they cannot be said to violate Art. 14 or Art. 19(1) (g) of the Constitution of India.”

18. Generally, with reference to the academic matters, the Hon’ble Supreme Court of India in *University Grants Commission Vs. Neha Anil Bobde*<sup>4</sup> has held as follows in paragraph No.31:-

“31. We are of the view that, in academic matters, unless there is a clear violation of statutory provisions, the regulations or the notification issued, the courts shall keep their hands off since those issues fall within the domain of the experts. This Court in *University of Mysore v. C.D. Govinda Rao* [AIR 1965 SC 491], *Tariq Islam v. Aligarh Muslim University* [(2001) 8 SCC 546 : 2002 SCC (L&S) 1] and *Rajbir Singh Dalal v. Chaudhary Devi Lal University* [(2008) 9 SCC 284 : (2008) 2 SCC (L&S) 887], has taken the view that the court shall not generally sit in appeal over the opinion expressed by the expert academic bodies and normally it is wise and safe for the courts to leave the decision of the academic experts who are more familiar with the problem they face, than the courts generally are. UGC as an expert body has been entrusted with the duty to take steps as it may think fit for the determination and maintenance of standards of teaching, examination and research in the university. For attaining the said standards, it is open to UGC to lay down any “qualifying criteria”, which has a rational nexus to the object to be achieved, that is, for maintenance of standards of teaching, examination and research. The candidates declared eligible for

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<sup>4</sup>(2013) 10 SCC 519  
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Lectureship may be considered for appointment as Assistant Professors in universities and colleges and the standard of such a teaching faculty has a direct nexus with the maintenance of standards of education to be imparted to the students of the universities and colleges. UGC has only implemented the opinion of the experts by laying down the qualifying criteria, which cannot be considered as arbitrary, illegal or discriminatory or violative of Article 14 of the Constitution of India.”

19. A Division Bench of the Delhi High Court in ***Guru Gobind Singh Indraprastha University Vs. Naincy Sage***<sup>5</sup> emphasized the importance of attendance in classes for a professional course, and the relevant extract from the judgment is provided below:-

“27. The importance attached to attendance in classes in a professional course like BA LLB/BBA LLB cannot be overstated. There are a line of decisions of the Supreme Court and the High Courts, where it has been opined that fixation of qualifying standards including minimum percentage of attendance is a matter which is best left to expert academic bodies and courts should be slow to interfere in such policy matters unless the decision taken is patently and palpably arbitrary, illegal or in violation of the Constitution of India. Once an academic body has decided on a minimum percentage of lectures that a student must attend at every stage or in the aggregate, then courts must shows deference to the said decision as the presumption is that being an expert in the field, the body has applied its mind before prescribing an eligibility criteria. (Refer : **Ashutosh Bharti v. Ritnand Balved Education Foundation** reported as WP(C) No. 19809 of 2004, Order dated 14-1-2005 (Del), **Siddharth Kaul v. Guru Gobind Singh Indraprastha University** [W.P. (C) 7610/2011, decided on 02.12.2011], **University Grants Commission v. Neha Anil Bobde (Gadekar)** reported as (2013) 10 SCC 519 and **Prateek Singhal v. National Testing Agency** reported as 2019 SCC OnLine Del 10873)”

20. The learned Counsel for the Bar Council of India would also rely on the Division Bench of the Delhi High Court in ***Chaudhary Ali Zia Kabir Vs. GGSIP***

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<sup>5</sup>2019 SCC OnLine Del 11169  
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***University and Ors.***<sup>6</sup>. The following observations were made, and it is essential to

extract paragraph No.13 of the said judgment, which reads as follows:-

“13. Before parting with the case, we are obliged to state that the field of legal education has its own sacrosanctity. With the passage of time, the field of law is getting a larger canvas. A well organized system for imparting of education and training in law has become imperative. In a democratic society where the rule of law governs, a student of law has a role to play. Roscoe Pound has said “Law is experience developed by reason and applied continually in further experience”. A student of law has to be a dedicated person as he is required to take the study of law seriously as pursuit of law does not countenance any kind of idleness. One may conceive wholesome idleness after a day's energetic and effective work. An active mind is the mother of invention. A student prosecuting study in law, in order to become efficient in the stream of law, must completely devote to the learning and training. One should bear in mind that learning is an ornament to continuous education and education fundamentally is how one engages himself in acquiring further knowledge every day. If a law student does not attend lectures or obtain the requisite percentage of attendance, he cannot think of taking a leap to another year of study. Mercy does not come to his aid as law requires a student to digest his experience and gradually discover his own ignorance and put a progressive step thereafter.”

21. A Division Bench of this Court in ***Shrish Vs. the Registrar*** (***W.P.No.3487 of 2024, dated 22.01.2025***), specifically with reference to the requirement of attendance, has held as follows in paragraph No.9:-

“9. It has been repeatedly held that in academic matters this Court will not interfere and leave it to the wisdom of the academicians. The UGC Regulation requires a particular percentage of attendance and if a student does not possess that percentage of attendance, the only result could be the students cannot appear for the examination. As rightly pointed out by the learned counsel for the University if this Court chooses to sympathize with such students, it will be only mis-placed sympathy and it would amount to mocking of students who attended the classes regularly.”

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<sup>6</sup>MANU/DE/0947/2011  
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22. The learned counsel for the University also relied upon the judgment of this Court in *Amith Minsha S. Vs. The Tamilnadu Dr.Ambedkar Law University*, (*W.P. No.27689 of 2022*) wherein the plea of a student who had only 0% attendance to proceed to the next semester and to redo the semester at the end of the course was rejected.

23. In *K.Mahalakshmi Vs. The Director & Ors.* (*W.P.No.20263 of 2014*), this Court permitted the student to write the examinations without the mandatory minimum attendance, in the extraordinary circumstance of pregnancy and childbirth. The Order was also confirmed by the Division Bench in *W.A.No.1275 of 2014*, while observing that the case cannot be treated as a precedent.

24. Until this, a combined reading of the Act, Rules and the relevant judgments cited above, the following legal position would emerge:-

(i) Legal education is governed by the Advocates Act, 1961, and the Bar Council of India Rules framed thereunder, which together constitute a complete code for regulating legal education.

(ii) The Bar Council of India, by constituting the Legal Education

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Committee, is the appropriate and competent authority to set the standards of legal education to be observed by the universities in India.

(iii) In exercise of the powers, the Bar Council has prescribed either the semester system or the trimester system, as the case may be, and in Rule 10, has also specified the minimum duration of the course, including class hours and, more specifically, lecture hours.

(iv) The students shall have a mandatory 70% attendance, and up to 5% shortage can be condoned by the Universities concerned. Once the academic standards are established, especially for law students, they should be more responsible for attending classes, and academic standards cannot be compromised even for medical reasons. In the context of professional education, which aims at intellectual growth and imparting skill sets for students to become professionals, the mere ability to self-learn and write examinations will not substitute for undergoing the course as envisaged under the Rules.

(v) The role of the Courts is limited to checking for violations of any statutory regulations or considering the jurisdiction of the authority in laying down norms.

(vi) In rare cases, depending on the facts and circumstances, Courts have sometimes allowed candidates to write the examinations for reasons like

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pregnancy and delivery.

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25. But the issue has now arisen in view of the subsequent developments. It is stated that the New Educational Policy, as well as the later UGC regulations, have taken a different direction towards the traditional classroom lecture and compulsory attendance, especially considering the availability of materials, lecture videos and different modern methodologies such as flipped classrooms, etc.

26. Even with reference to the legal curriculum, Schedule II of the Rules of Legal Education now recognises liberal disciplines within the integrated stream. While the compulsory law subjects and clinical courses are prescribed, the Rules grant flexibility regarding how these subjects are taught. As a result, different universities have students studying various subjects in different semesters. There is no specified order for teaching these subjects. It is evident from the Bar Council Rules that a liberal framework exists concerning the arrangement of subjects, and there is no rule dictating which subject must be taught first before the student continues further.



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27. Under these circumstances, the matter of suicide committed by law student *Sushant Rohilla* was brought before the Hon'ble Supreme Court of India, which ordered that the case be transferred to the Delhi High Court. Subsequently, the Delhi High Court noticed the issues that were causing students to take such extreme actions. It recognized the need for mechanisms to protect students' mental well-being. In this context, it also addressed the requirements for mandatory attendance and procedures for managing attendance shortages. The Hon'ble Division Bench considered the concept of lectures, the new education policy, and the regulations of the University Grants Commission. It expressed the view that attendance should be voluntary rather than coerced. In paragraph No. 249(1), it directed the Bar Council of India to re-evaluate the mandatory attendance norms, and in paragraph No. 249(2), it issued several interim directions. These are set forth below for ease of reference:

**“249.** In view of the above discussion in respect of attendance norms, the following directions are issued:

(1) The Bar Council of India shall undertake a re-evaluation of the mandatory attendance norms for the 3-year and 5-year LLB courses in India in line with the above observations as also in line with the NEP, 2020 and also the 2003 UGC Regulations which contemplate flexibility in attendance requirements. As part of this process, the BCI shall also incorporate modification of attendance norms to enable giving credit to moot courts, seminars, model parliament, debates, attending court hearings etc. In addition, ameliorative measures as contained below shall also be discussed and incorporated. BCI shall undertake a stakeholder consultation including students, student bodies, parents, teachers etc., for this purpose in an expeditious manner.



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(2) In order to safeguard the life and mental health of students, keeping in mind the debilitating impact on students that detention or non-appearance in examinations, due to mandatory attendance requirements can have, while the consultations by the BCI are underway, it is directed in the interregnum, as under:

a. No student enrolled in any recognized law college, University or institution in India shall be detained from taking examination or be prevented from further academic pursuits or career progression on the ground of lack of minimum attendance;

b. No law college, University or institution shall be permitted to mandate attendance norms over and above the minimum percentage prescribed by the BCI under the Legal Education Rules;

c. Insofar as the mandatory attendance norms fixed by the BCI are concerned, all law colleges, Universities and institutions recognized which impart 3 years and 5 years LLB degree courses shall with immediate effect, implement ameliorative measures including-

i. Weekly notification of attendance of students through an online portal/a mobile app including on the notice board;

ii. Monthly notice to parents/legal guardian/family members regarding any shortage in attendance;

iii. Conducting extra physical or online classes for such students, who do not fulfil the minimum attendance norms;

iv. Home assignments to be completed in lieu of shortage of attendance;

v. Stringent practical work in legal aid clinics or similar such bodies, duly certified, which can cover up the shortage of attendance during the semester itself. Such steps shall thus be taken during the semester itself.

vi. In terms of Rule 12 of Legal Education Rules, 2008, the attendance percentage shall be calculated on the basis of ACTUAL CLASSES HELD by the teachers.

vii. If at the end of a semester, a student still does not qualify the prescribed attendance norms, the college/University cannot bar the student from taking the examination. The student shall be permitted to take the semester examination, however, in the final result for the semester, the grade of the student would be permitted to be reduced by a maximum of 5%, in case of marks being awarded and by 0.33% in case of the CGPA system being followed. Merely on shortage of attendance, promotion to the next Semester shall not be withheld.

BCI shall take into consideration the above measures as part of its consultation process while finalizing its norms for legal education.”

(Emphasis supplied)



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28. Thus, it can be seen from paragraph No.249(2)(a) above, the Delhi

High Court held that no student shall be detained from taking the examination or be prevented from further academic pursuits or career progression on the ground of lack of minimum attendance.

29. Further, upon a reading of the Rules, it is also not the mandate of the Bar Council of India that the students have to redo the course only in the next year and should forgo one full year in case of a shortage of attendance. As a matter of fact, even when this Court dealt with a matter, there are many universities which have different kinds of rules by which students will be losing only six months and not the one full year.

30. In this context, the argument of the learned Counsel for the Bar Council of India that this Court need not follow the judgment in ***Sushant Rohilla***'s case (stated *supra*) must be specifically considered. The Hon'ble Division Bench of the Delhi High Court has considered all relevant criteria, and no exception can be taken to the first direction contained in Section 249(1), which directs the Bar Council of India to undertake a re-evaluation of the mandatory attendance norms.

Although the order is said to have been passed on 03.11.2025, even the number of

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the Special Leave Petition is not mentioned before this Court.

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31. Rules 10 and 12 would definitely need re-visitation, although this falls fully within the domain of the Bar Council of India. Since law courses can utilize a variety of teaching methods—including Moot Court, Group Discussion, Role Play, Audio Visual Tools, Case Study, Assignments, Seminars, Library Hours, Internship, Practical Training, Flipped Classroom by recording videos of lectures and then holding discussions in classrooms, debates, quizzes, peer teaching, brainstorming, and the use of movies, poetry, literature, music, images, and discussions—the rule restricts a great deal of academic freedom of the Professors/Teachers by imposing as many as 24 lecture hours per week. Honestly, every stakeholder, including the academicians, shall ponder over, as to part from the other mandatory hours, is it necessary for 24 lecture hours a week, and will it be possible for the students to meaningfully attend, listen and learn through such a high quantity of lectures. Similarly, the applicable mandatory minimum attendance should also be revisited, even though it remains within their domain. Therefore, I am inclined to follow the dictum and direction of the Hon'ble Division Bench of the Delhi High Court in that regard.



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32. Secondly, the Hon'ble Division Bench had given interim directions to be followed in the interregnum. As far as the interim directions are concerned, the core principle is that the requirement of attendance should not be in a position to materially affect the student's career. Gone are the days when students on break, due to attendance shortages, etc., could be present on campus. Most of them will be confined to their homes. If they are confined to their home for one year, the effect on the student's mental well-being should be seriously considered. Some students may stray from the right path. Digital addiction or other addictions to bad habits are a lurking danger; for some, it may lead to demotivation and, in worst cases, depression and other psychological issues.

33. At the same time, it has to be noted that every possible fact situation was not presented before the Hon'ble Division Bench of the Delhi High Court. All these petitioners before this Court are now trying to take advantage of interim directions and coming up with pleas like back pain, ulcer, diabetes etc.

34. The primary education that has to be driven in the minds of the students is that when there is a Rule, and the Rule is not followed, the consequence should ensue. The verbatim implementation of the Delhi High Court's judgment allowing

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the student to continue as such despite the lack of attendance would not be possible in all situations and would be counterproductive if students were to view it as authorising them to forgo college altogether. Therefore, this Court must apply the ratio, consider the matter on a case-by-case basis, and decide the issue.

35. I am of the view that the Tamil Nadu Dr Ambedkar Law University, through its academic bodies and senate, has to take an academic decision with reference to redoing the course, in the context of the ratio laid down by the judgment of the Delhi High Court. Their existing policy of giving the student a year-long break requires urgent re-evaluation. Especially when similarly situated students at several other Universities are subject to a catch-up rule, and they do not need to waste a full year. Even other professional courses have additional batches, flipped semesters, etc. Therefore, in the light of the pronouncement of the Hon'ble Division Bench of the Delhi High Court and more particularly taking note of the emerging trends and changing times, it is for the academicians to realign and reframe the policy.

36. It is also for the Bar Council of India to comply with the direction issued by the Hon'ble Division Bench of the Delhi High Court in revisiting the

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Rules of mandatory minimum attendance and lecture requirements, etc.

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37. In the interregnum, in following the spirit of the judgment of the Delhi High Court and at the same time, without violating the existing mandatory minimum attendance rule in the Rules of Legal Education, I am of the view that with reference to the petitioners, they can be given an opportunity to continue their education by attending the VIII semester.

38. With reference to the VII semester, since they have got partial attendance of 46%, 41% and 37% respectively. During ensuing summer vacation in May-June 2026, after the VIII semester, the University can consider permitting the students to make good the attendance shortage by taking the measures as suggested by the Delhi High Court by putting them under the tutelage of available teacher(s) during the vacation, thereby, making them to mandatorily sit in the library throughout the day and complete reading of the subject modules of the VII semester and to prepare dissertations on the various topics in all the subjects, create a power point presentation in respect of each of the assignment they write and record a lecture on the topic of duration of 20 to 30 minutes or by such other methods including the respective teachers taking compensatory classes or making

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them watch the already pre-recorded lectures etc. The students have to duly complete the requirements for internal assessment, including the assignments, etc., and after duly assessing the internal assessment, can be permitted to take the examination as arrears in the next general examination.

39. As a matter of fact, three out of two students in these petitions have written the examinations pursuant to interim orders. That is their own making, as they approached the Court only a day or two before the examination, and the intervening period did not allow the Court to afford the respondents an opportunity to place instructions in that regard. Therefore, no equitable right arises in favour of these students, who were put on notice, even by the interim order granted by this Court. In fact, the case of the third student, namely *Shakthi Shyam R*, who did not even write the examination, is more deserving, as he works part-time due to his poor background, earns income, and supports his sister's education. But that does not entitle any student to bypass the rigour of the academic requirements. Therefore, I am of the view that all three students must first complete the requirements under the mandatory rule, and only thereafter may they take the examination.



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40. In view thereof, these Writ Petitions are partly allowed on the following

terms:-

(i) The Bar Council of India, as directed by the Hon'ble Division Bench of the Delhi High Court, shall undertake the exercise of re-evaluation/re-visit of Rules 10 and 12 of the Rules of Legal Education.

(ii) The Tamil Nadu Dr.Ambedkar Law University shall reconsider its present policy of directing students to redo the course, thereby mandating a one-year gap for students, and explore alternative options as implemented by several other universities;

(iii) The respondents shall permit the petitioners/students to continue the Course to attend VIII semester and write the VIII semester examinations.

(iv) As far as the VII semester is concerned, since they have put in partial attendance of 46%, 41% and 37% respectively, they can be given an opportunity during the vacation after the VIII semester in May, 2026 and June, 2026 to put in balance mandatory attendance in the flexible forms and modes as discussed supra and their internal assessment shall be completed. Thereafter, they can write their end semester examinations of the VII semester as and when the semester examinations are scheduled along with the IX semester examinations so that the career progression is not affected. It is for the University to take a decision in

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respect of the two writ petitioners Vathanan and Mrithula Shre whether to mandate them to re-write the examination after the completion of the attendance and internal assessment or to publish the results of the examinations already written pursuant to the interim order of this Court.

(v) The compliance of the above directions need not result in additional burden on the lecturers. Depending on their willingness, if only anyone of them are available or by availing services of the teachers, alternatively, the above can be done.

(vi) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

17.12.2025

Neutral Citation : yes  
grs

To

1. The Dean,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.
2. The Vice Chancellor Convenor Committee,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.

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3. The Registrar,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.
4. The Director,  
The Tamil Nadu Dr.Ambedkar Law University  
Perungudi Campus, Perungudi,  
Chennai – 600 113.
5. The Controller of Examination,  
The Tamil Nadu Dr.Ambedkar Law University,  
Perungudi Campus, Perungudi,  
Chennai – 600 113.
6. The Bar Council of India,  
Represented by its Secretary,  
21, Rouse Avenue Institutional Area,  
Near Bal Bhawan,  
New Delhi – 110 002.
7. The Dean,  
School of Excellence in Law (SOEL),  
The Tamil Nadu Dr.Ambedkar Law University (TNDALU),  
Perungudi Campus,  
Chennai – 600 113.
8. The Registrar,  
The Tamil Nadu Dr.Ambedkar Law University,  
“Poompozhi”,  
No.5, Dr.D.G.S. Dinakaran Salai  
Chennai – 600 028.
9. The Controller of Examination  
The Tamil Nadu Dr.Ambedkar Law University  
“Poompozhi”,

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No.5, Dr.D.G.S. Dinakaran Salai  
Chennai – 600 028.

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10. The Principal,  
The Government Law College,  
Marudhamalai Road,  
Aerodrome Post,  
Near Baharathiyar University,  
Coimbatore – 641 046.



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**D.BHARATHA CHAKRAVARTHY, J.**

grs

W.P.Nos.46137, 42461 and 43650 of 2025  
and W.M.P.Nos.47693 of 2025

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**W.P.os.46137, 42641 and 43650 of 2025**  
**W.P.Nos.46137, 42641 and 43650**  
**of 2025**

**D.BHARATHA**  
**CHAKRAVARTHY, J.**

The matter is listed under  
the caption “for being mentioned”.

2.Heard.

3.Registry is directed to  
correct the number of writ petition  
from 42461 to 42641 in all places  
and uploaded the corrected order  
and also issue fresh order copy to  
the parties concerned.

**24.03.2026**

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**D.BHARATHA CHAKRAVARTHY, J.**

The matter is listed today under the caption “for being mentioned”.

2. It is brought to the notice of this Court that there are mistakes relating to the year of the Writ Petitions in the appearance portion of the order dated 17.12.2025, wherein, instead of '2025', it has been wrongly typed as '2022'. It is also noticed that the correction with reference to the number of the Writ Petition has not been carried out as “42641” in the header portion of the said order, even though, by an earlier order dated 24.03.2026, it was directed to be corrected in all places where such mistakes had occurred.

3. In view thereof, the Registry is directed to correct the same and upload the corrected order.

07.04.2026

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**D.BHARATHA CHAKRAVARTHY, J.**  
JEN

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