



WEB COPY

W.P.No.46615 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM:

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

W.P.No.46615 of 2025

Subasri Kumar

... Petitioner

Vs

1. The Registrar,
The Tamil Nadu Dr.M.G.R.Medical University,
69, Anna Salai, Little Mount,
Guindy, Chennai - 600 003.
2. The Controller of Examination,
Tamil Nadu Dr.M.G.R.Medical University,
Anna Salai, Little Mount,
Guindy, Chennai - 600 003.
3. The Medical Council of India,
Rep. by its Secretary,
MCI Building Pocket – 14
Sector – 8, Dwarka Phase – 1,
New Delhi – 110 077.
4. Karpaga Vinayaga Institute of Medical
Sciences and Research Centre,
Rep. by its Vice Chancellor,
Palayanoor, Chengalpattu,
Madhuranthagam.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, to direct the second respondent to round off 39.50% to 40% in petitioner's Anatomy paper.



W.P.No.46615 of 2025

For Petitioner : Mr.V.Srimathi
For R1 & R2 : Mr.Mohamed Ghouse
For R3 : Mr.V.Sudha
Sr. Central Government Standing Counsel
For R4 : Mr.S.Udayakumar

ORDER

This writ petition is filed for a writ of mandamus directing the second respondent to round off the 39.50% of marks in the anatomy theory paper of the petitioner to 40% and thus declare the results of the petitioner accordingly.

2. Upon perusing the affidavit filed in support of the writ petition and hearing the learned counsel appearing for the petitioner, it can be seen that the petitioner joined the MBBS course in the year 2024 in the college affiliated to the first respondent University, that is, the fourth respondent college. The petitioner appeared in the theory examinations of the first non-semester examination conducted in August 2025 with Examination Roll Number No.520024504625. The results were published on 30.09.2025. It is the case of the petitioner that while she got good marks in all other subjects, in the theory paper of anatomy, after adding the aggregate of Paper I and Paper II, the result was given as 39.50% as she got 38 in Theory I and 41 in Theory II. Since the aggregate resulted in a fraction, the petitioner prays for rounding off the aggregate of 39.50% to 40%.

2/9



W.P.No.46615 of 2025

WEB COPY

3. The learned counsel appearing for the petitioner would rely upon the judgment of this Court in ***G. Dharshini Vs. Controller of Examinations, The Tamil Nadu Dr.M.G.R.Medical University (W.P.No.18825 of 2017 etc.)*** in this regard.

4. Per contra, the learned Senior Central Government Standing Counsel appearing on behalf of the National Medical Commission - third respondent and the learned Counsel appearing for the respondents 1 & 2 would place on record the revised guidelines. As per Guideline No. 3, it is essential that a minimum of 40% marks should be obtained in theory and practicals and a combined 50% should be secured by the candidates. There is no provision for the grant of any grace marks. Therefore, the candidate was not given any additional marks. There is a prohibition against granting grace marks and therefore the candidate was not given any addition of marks. Though she has got 72 in practicals, she has secured only 39.50% in theory and did not get the mandatory 40% in the theory examinations. Hence, she could not be declared as passed and there was no violation of any rules by the respondents in this regard. The learned Senior Central Government Standing Counsel would also state that the judgment of this Court in *Dharshini* cited supra was rendered prior to the new regulations which came into force in the year 2024.



W.P.No.46615 of 2025

WEB COPY

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 per Regulation No. 3 relating to assessment and Annexure No. 8, it is mandatory to secure 40% marks separately in theory and practicals and a total of 50% when both are added. The petitioner gets 50% when theory and practical marks are added and there is no difficulty with regard to that. The only difficulty is that the petitioner has secured only 39.50% marks and not 40% in theory. The marks resulted in a fraction because the aggregate of two papers was calculated. In such cases, whenever the aggregate results in a fraction of percentage, the equitable rule that it should be rounded off to the next nearest round figure has been followed in many contexts. In the context of this very examination in the MBBS course itself, this Court has passed orders in W.P.Nos. 18825 of 2017. The said judgment considered the judgment of the Hon'ble Court of India in ***State of U.P. and another vs. Pawan Kumar Tiwari and others reported in (2005) 2 SCC 10*** and it is relevant to extract Paragraph Nos.10 to 12:-

10. No doubt, Medical Council of India Regulations does not speak about awarding any grace marks. It only speaks about percentage of marks. Therefore, if the percentage is taken into consideration, the petitioner has got 49.66% and the fraction obtained by the petitioner is more



WEB COPY



W.P.No.46615 of 2025

than 0.5, namely 0.66 and therefore, it should be rounded off to the nearest round figure namely 49.66% to 50%. The Hon'ble Supreme Court held in the case of State of U.P and another Vs. Pawan Kumar Tiwari and others, reported in (2005) 2 SCC 10 states that rounding off is based on logic and common sense. If one half or more, its value shall be increased to one and if part is less than half, then its value should be ignored. Paragraph 7 of the Judgment is extracted as follows:-

"7. We do not find fault with any of the two reasonings adopted by the High Court. The rule of rounding off based on logic and common sense is: if part is one-half or more, its value shall be increased to one and if part is less than half then its value shall be ignore. 46.50 should have been rounded off to 47 and not to 46 as has been done. If 47 candidates would have been considered for selection in general category, the respondent was sure to find a place in the list of selected meritorious candidates and hence entitled to appointment.

11. Though the Judgment arises out of the issue regarding reservation, still the rounding off concept could be taken from the Judgment. Similarly, it is the dictum of the Hon'ble Supreme Court in the case of State Bank of Punjab and another Vs. Asha Mehta, reported in (1997) 11 SCC 410 wherein it has been stated that rounding off 32.5% to 33% is purely an arithmetical calculation, a procedure which the Public Service Commission, in fairness has been adopting. Similarly, the learned Single Judge of this Court categorically held in W.P.No. 10212 of 2001 that rounding off the fraction to nearest round figure is possible. In view of that case, a student who secured 49.66% in the relevant subjects got admitted in the B.Tech Course even though he has to get 50% marks. Even after conclusion of the first semester examination and when the student was preparing for the second semester examination, he was informed about the cancellation of his admission on the ground that he had got only 49.66% marks against 50% marks which is the minimum required qualifying mark and that order was challenged. While dealing with that matter, the learned Single Judge of this Court held that while calculating percentage, if there is a fraction or decimal point



WEB COPY



W.P.No.46615 of 2025

which is more than, 0.5, it is the usual practice to round off such fraction or decimal point to the nearest round figure.

Paragraph 7 is extracted hereunder:-

"7. A perusal of the provisions contained in the prospectus makes it clear that a candidate has to secure 50% marks in aggregate in the specified subjects. It is obvious that to find out percentage of marks in specified subjects, the marks secured in those subjects are to be added and percentage of marks is to be calculated. If while calculating such percentage there is a fraction or decimal point which is more than an half or 0.5, it is the usual practice to round off such fraction or decimal point to the nearest round figure. If such a procedure is adopted, It is seen that the petitioner who had secured 49.67% in the subjects in question, can be said to have secured 50%" of marks by rounding off the decimal 0.67 to whole number. It is obvious that the petitioner was allowed to appear at the Joint Entrance Test and obviously after being selected in such joint entrance text, he was given admission. The petitioner has already taken admission on the basis of such calculation and had appeared in first semester examination. Subsequently by virtue of the interim order passed by this Court, he was allowed to appear in the subsequent semester examinations. In the peculiar facts and circumstances of the case, I feel interest of justice would be served by permitting the petitioner to continue the course."

12. The petitioner already obtained 149 marks out of 300 marks and she lacks only 0.34% to get a pass.

7. Even under the new regulations which came into force from the year 2024, the prohibition is only with reference to the grant of grace marks. Grant of grace marks is different from rounding off a fraction. As such, I am of the view that there is no prohibition even in the new regulations of the year 2024 to round off the fraction. In the absence of any prohibition, when an equitable



W.P.No.46615 of 2025

principle based on logic and common sense is followed for rounding off marks which are ultimately arrived at in fractions, I see no impediment to follow the same. Especially considering the factual context of the case that the student has cleared every other paper and has also got the mandatory 50% by adding theory and practicals.

8. In view thereof, this writ petition is ***allowed*** on the following terms:-

(i) The second respondent is directed to round off the theory mark from 39.50% to 40% and shall declare the revised results of the petitioner accordingly as per law.

(ii) The said exercise shall be carried out within a period of three weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order.

(iii) It is needless to point out that since this Court has directed rounding off and the student will be eligible to join the second year, in the interregnum, the fourth respondent institution can permit the student to undergo classes, as otherwise there will be a shortage of attendance if the student has to wait for the declaration of results. No costs.

09.12.2025

Neutral Citation: Yes
nsl

7/9



W.P.No.46615 of 2025

To

1. The Registrar,
The Tamil Nadu Dr.M.G.R.Medical University,
69, Anna Salai, Little Mount,
Guindy, Chennai - 600 003.
2. The Controller of Examination,
Tamil Nadu Dr.M.G.R.Medical University,
Anna Salai, Little Mount,
Guindy, Chennai - 600 003.
3. The Secretary,
The Medical Council of India,
MCI Building Pocket – 14
Sector – 8, Dwarka Phase – 1,
New Delhi – 110 077.
Madhuranthagam.



WEB COPY



W.P.No.46615 of 2025

D.BHARATHA CHAKRAVARTHY, J.

ns1

W.P.No. 46615 of 2025

09.12.2025