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WP No. 2183 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 2183 of 2026
and W.M.P.No.2383 of 2026**

G.Deepan Raj

..Petitioner

Vs

1. The Registrar,
Tamil Nadu Dr.M.G.R.Medical University,
No.69, Anna Salai, Guindy,
Chennai – 600 032.
2. The Controller of Examinations,
Tamil Nadu Dr.M.G.R.Medical University,
No.69, Anna Salai, Guindy,
Chennai – 600 032.
3. The Principal,
Tamil Nadu Government Dental
College and Hospital,
Chennai – 600 003.
4. The Professor & Head,
Department of Conservative Dentistry and
Endodontics,
Tamil Nadu Government Dental
College and Hospital,
Chennai – 600 003.
5. The Dental Council of India,
Rep. by its Secretary,
New Delhi.
(R5- Suo Motu impleaded vide Order Dated
21.01.2026 made in W.P.No.2183/2026)

..Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents herein permit the petitioner to submit his examination application for the Bachelor of Dental Surgery (B.D.S) University Examination either by re-opening the online examination portal (Galley System) or in the alternative, by accepting the same manually after receipt of the prescribed examination fees from the petitioner and issue the Hall Ticket scheduled on 22.01.2026 and consequentially permit the petitioner to appear for the B.D.S University Examination Scheduled to commence on 03.02.2026 in respect of the sole remaining subject namely Conservative Dentistry and Endodontics (ODS).

For Petitioner:

Mr.K.Venkatesh @ Dr.V.K.Swamy

For Respondents:

Mrs.C.Latharani, Standing Counsel for R1 and R2

Ms.N.Sneha for Mr.E.Sundaram
Government Advocate for R3 and R4

Mr.Subramanian Vaidyanathan for R5

ORDER

The writ petition is filed to permit the petitioner to submit his examination application for the Bachelor of Dental Surgery (B.D.S) either by reopening the online examination portal or in the alternative, accepting the same manually after receipt of the prescribed examination fees from the petitioner and issuing the hall ticket for the examination that is scheduled to commence from 03.02.2026.



2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it can be seen that the petitioner joined the B.D.S course in the academic year 2014. He has also cleared the first B.D.S in February 2015 itself and the second B.D.S by February 2016 and the third B.D.S by 2018. Only in the final B.D.S, now one paper is remaining. Merely because there were interruptions, the University is asking for condonation etc., and by quoting the wrong rule as if the petitioner has to complete the course within a period of nine years, the petitioner is not being permitted to write the examination. Therefore, the petitioner is before this Court.

3. The writ petition is resisted by the respondent authorities by filing separate counter affidavits. It can be seen that even though originally they were under the impression that the nine year rule is applicable to the petitioner also, now it is realised that since the petitioner was admitted in the year 2014, it is the erstwhile rule that is applicable to him and not the new rule which came into force only with effect from 2015. As per the erstwhile rule, the limitation was only to clear the first B.D.S within a period of three years and thereafter there is no outer limit. Therefore, this petitioner is not restricted by any outer limit. However, the second argument that is made is by placing the attendance with reference to the said subject, it is stated that the student attended the subject in the year 2022 and the tabular column is given as follows:



Subject :: Clinical Posting

Sl.No.	Posting Date	Total Working Days	Attendance	Percentage of Attendance	Remarks
1	03.01.2022 to 15.01.2022	11 days	5 days		
2	25.04.2022 to 07.05.2022	12 days	03 days		
3	02.08.2022 to 31.08.2022	26 days	11 days	31.7%	Less than 75 % not Eligible
4	02.02.2023 to 12.02.2023	09 days	00 days		
5	27.06.2024 to 24.07.2024	24 days	00 days		
6	06.12.2024 to 25.01.2025	36 days	08 days		

Subject :: Theory Class

Sl.No.	Posting Date	Total Working Days	Attendance	Percentage of Attendance	Remarks
1	21.02.2022 to 02.04.2023	47 days	19 days	40.4%	
2	03.05.2024 to 30.12.2024	28 days	Nil	Nil	Less than 75 % not Eligible
3	04.04.2025 to 12.12.2025	33 days	Nil	Nil	

4. It is stated that the mandatory attendance is 75%. Since it is stated that the attendance is mandatory and there is no provision for condoning the attendance, now the student cannot be permitted to write the examination.

5. In reply thereof, the learned counsel appearing on behalf of the petitioner would submit that on several days wilfully and wantonly, because of personal animosity, the petitioner was not permitted to mark the attendance.



Secondly, the cumulative attendance of the third year and the final B.D.S is not taken and the attendance is wrongly calculated.

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

7. It has been held in respect of professional courses such as the B.D.S that the minimum attendance is mandatory. Even there is no condonable limit to relax it beyond 75% and as per the authorities, it is only 31.7% during 2022 to 2024 and in 2025 the student had not attended the class. Even cumulatively taken into account, it does not come anywhere near 75%. Therefore, it cannot be doubted that the student lacks attendance. As far as the rule relating to limitation is concerned, it is now admitted before this Court that the same is not applicable and as per the rule, he is supposed to clear the first year B.D.S within a period of three years, which he has already cleared.

8. In view thereof, this writ petition is *disposed of* with the following directions:

(i) Immediately on the date of commencement of the next semester, which is said to be commencing on 12th February 2026 itself, the student can report to the college and the college authorities shall permit the student to attend



the classes.

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(ii) The student need not be prohibited on any technical ground. No donation whatsoever shall be required from the student, if any required under the procedure shall be deemed to have been given. He shall be permitted to attend the classes straight away. If the petitioner completes the required days of attendance and the internal assessment, he can be permitted to write the examination in the ensuing semester examination that is normally conducted in the month of August/September 2026 and thereafter he can continue the internship and complete the course.

(iii) since an argument is made that the student is being unduly not permitted, the concerned Head of the Department and also the Principal and other professors in charge may take note of the same and the petitioner shall be granted a fair opportunity, as the same concerns the career of the student. The authorities shall act on the web copy of the order without waiting for the certified copy of the order.

(iv) Consequently, connected miscellaneous petition is closed. No costs.

10-02-2026

Neutral Citation: Yes/No

NSL



To

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D.BHARATHA CHAKRAVARTHY, J.

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