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W.A.No.754 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.754 of 2025

AND

C.M.P.Nos.6354 of 2025 & 10544 of 2026

Dr.M. Sujith
S/o. A. Mohan Kumar
Second Floor, 7C Ramalingam Road,
Dharmapuri - 636 701

Appellant(s)

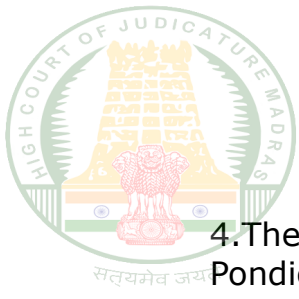
Vs

1. The Government of India,
Rep. by its Under Secretary Ministry of Health
and Family Welfare,
Nirman Bhavan, New Delhi - 001.

2.National Medical Commission,,
Rep. by its Secretary,
Pocket -14, Sector -8,
Dwarka Phase-I, New Delhi - 077.

3.Government of Puducherry,
Rep. by its Under Secretary to Government
(Health),
Chief Secretariat, Puducherry.

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4.The Assistant Registrar (Medical),
Pondicherry University
R.V Nagar, Kalapet, Puducherry - 14.

5.The Controller of Examinations,
Pondicherry University, Pondicherry.

6.The Pondicherry Institute of Medical Sciences,
Rep. by its Registrar,
Kalapet, Puducherry - 605 014.

Respondent(s)

PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order passed by the learned Single Judge in W.P.No.33171 of 2023 dated 20.12.2024.

For Appellant(s) : Ms.AL.Gandhimathi
Senior Counsel for Mr. L.Palani Muthu

For Respondent(s) : Mrs.S.Shubharanjani Ananth
Standing Counsel for R2
Mr.V.Vasanthakumar
Additional Government Pleader (Puducherry) for R3
Mrs.A.V.Bharathi
Standing Counsel for RR4 and 5
Mr. Abishek Jenasen for R6

JUDGMENT

(Delivered by G.ARUL MURUGAN, J.)

The intra-court appeal is filed assailing the order dated 20.12.2024 in W.P. No.33171 of 2023, whereby the challenge made to the order of the fourth respondent came to be rejected.

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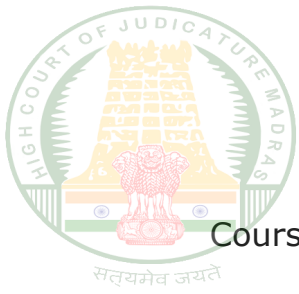
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2. The relevant facts to be noted in the appeal are that the appellant was admitted in the Postgraduate Medical Education Course in the sixth respondent institution during the academic year 2017-18. The second respondent, National Medical Council, conducted the NEET examination for selection to the Postgraduate Course and the appellant secured qualifying marks. The Postgraduate Medical Education Regulations, 2000, came to be amended by a Notification dated 10.03.2017, which introduced Regulation 9A, to provide for common counselling for admission to Postgraduate Medical Courses. The amendment provided that the counselling for admission to the Postgraduate Medical Course in the State/Union Territory shall be conducted by and under the overall superintendence and control of the State Government.

2.1. In compliance to Regulations 9 and 9A, the third respondent, Government of Puducherry, appointed Centralised Admission Committee (CENTAC), the authority, to conduct the common counselling for admission to Postgraduate Medical Course by the institutions in the Union Territory of Puducherry. The appellant applied to the CENTAC for admission into the Postgraduate Medical

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Course. After conducting various rounds of counselling, the CENTAC conducted a mop-up counselling by issuing a public announcement stating that any eligible NEET candidate could participate in the counselling to be held on 31.05.2017.

2.2. Even though the counselling was restricted to those domiciled in Union Territory of Puducherry, claiming that the CENTAC orally instructed the appellant to report to the medical institution directly for admission, the appellant had reported to the sixth respondent institution and got admitted to the Postgraduate Medical Course, M.D. (General Medicine). However, CENTAC issued orders directing the medical institution to discharge the candidates, including the appellant, admitted into the sixth respondent institution.

2.3. The appellant and the similarly discharged candidates had approached this Court in W.P.No.1287 of 2018 challenging the order of discharge, while the sixth respondent institution had also preferred a separate writ petition. All the writ petitions pertaining to this issue were heard together and dismissed on 07.10.2020. The appellant had preferred W.A.No.702 of 2021 challenging the dismissal of the writ petition.



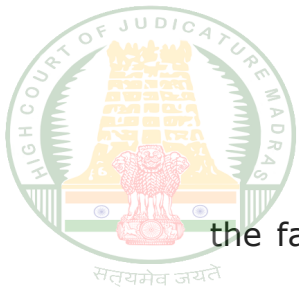
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2.4. Pursuant to the interim orders passed in the writ appeal, the appellant was permitted to appear for exams in December 2021, June 2022, December 2022 and in July 2023. But however, the appellant failed to clear one subject. In the meantime, the appeal preferred by the institution in W.A.No.796 of 2021 was allowed by judgment dated 29.07.2021, directing payment of compensation to students, who had been denied admission and the institutions were directed to return their certificates. Resultantly, the writ appeal filed by the appellant was also dismissed as having become infructuous. However, pursuant to the order dated 01.12.2025 passed by the Hon'ble Supreme Court in S.L.P.(C) No.9319 of 2022 preferred by the National Medical Council, the candidates who had passed out successfully received their certificates.

2.5. As the appellant failed to clear one paper, he attempted to write the examination scheduled on 12.12.2023 and also sought to award grace marks for the examination held in July 2023 by applying for retotalling/revaluation. The fourth respondent University, by proceedings dated 15.09.2023 rejected the request, challenging which, the appellant preferred the writ petition. The writ Court, by considering

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the fact that the appellant had not completed the M.D. Course in the permitted period of six years, dismissed the writ petition, which resulted in filing the present appeal.

3. Heard Ms.AL.Gandhimathi, learned Senior Counsel appearing for the appellant who contended that, since the appellant had only undertaken four examinations, the University was not right in rejecting the request of the appellant to sit for the December 2023 examination. Although the appellant was discharged from the course, pursuant to the interim orders, he had undertaken the examinations on four occasions and thus, he would be entitled to avail of his two remaining attempts. It was further urged that since based on the orders passed by the Hon'ble Supreme Court some candidates have successfully completed the course and received their certificates, the appellant is eligible to be allowed to sit for the examination and the result has to be declared enabling him to complete the course.

4. Mrs.S.Shubharanjani Ananth, learned counsel appearing for the second respondent/National Medical Council, by placing reliance on Postgraduate Medical Regulations, 2000, submitted that the appellant ought to have completed the M.D.Course within the period of three

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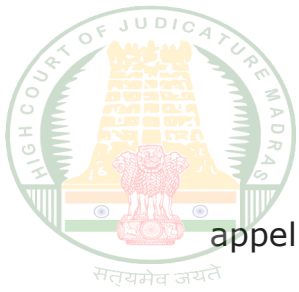
years and even the six years period granted by the university is not in consonance with the regulations and therefore, the appellant will no longer be eligible to complete the course.

5. Mrs. A.V.Bharathi, learned Standing Counsel for the fourth and fifth respondents submitted that, as per the University regulations, only maximum period of six years is prescribed for completion of the three years Postgraduate Medical Course. She further contended that the appellant had already exhausted this maximum period by July 2023 and hence, his claim to appear for the December 2023 examination was rightly rejected. The learned counsel further submitted that there is no provision for the revaluation/retotalling of the July 2023 paper.

6. We have heard the rival submissions and carefully considered the materials available on record.

7. The appellant was admitted to the Postgraduate Medical Education Course in the sixth respondent institution during the academic year 2017-18. Pursuant to the directions of the second respondent, the appellant was discharged from the said course. The

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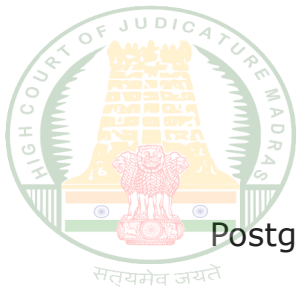
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appellant had challenged the order of discharge of the second and fourth respondents, which was heard along with the writ petitions filed by the sixth respondent institution and ultimately, the writ petitions came to be dismissed.

8. The appellant had preferred W.A.No.702 of 2021 and pursuant to the interim orders, he has undertaken the exam in December 2021, June 2022, December 2022 and in July 2023. The appellant was not able to clear all the papers and was unsuccessful in one of the papers. The writ appeal preferred by the institution came to be dismissed and consecutively, the writ appeal preferred by the appellant also came to be dismissed as having become infructuous. However, based on the orders passed by the Hon'ble Supreme Court in the appeal preferred by the second respondent/National Medical Council, the similarly placed candidates who had successfully completed the course were able to get their certificates.

9. In this regard, it would be useful to refer to a decision of the Hon'ble Supreme Court in the case of **A.R.Satthishh Egappan etc. v. The Union of India & Others etc. (S.L.P.(C) Nos.6113 - 6117 of 2024 decided on 01.12.2025)** pertaining to the admission of

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Postgraduate Courses in the private medical colleges in Pondicherry for the academic year 2017-18. The Hon'ble Supreme Court, on finding that the students who were beneficiaries of the irregularities by getting admission in the academic session 2017-18, since have now completed their respective degrees, declared that all the students shall be entitled to their respective degrees, if they are otherwise qualified for the same.

10. However, in the instant case, the appellant was not successful in completing the Postgraduate Degree Course because he has failed in one of the subjects. As per the regulations of the fourth respondent University, the maximum period for completion of the M.D. Degree Course is six years and the appellant has exhausted the maximum period by July 2023. Only in such circumstances, the appellant had also applied for revaluation seeking to award grace marks for the exam held in July 2023. However, since there is no provision in the regulations of the University, the claim of the appellant came to be rejected by order dated 15.09.2023.



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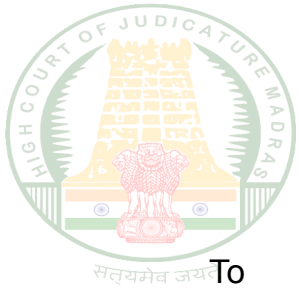
11. The benefit extended by the Hon'ble Supreme Court for the similarly placed candidates who illegally got admission, cannot be applied to the appellant, as admittedly he has not completed the Postgraduate Medical Course within the prescribed period. When there is no provision under the regulations for awarding of grace marks by retotalling/revaluation and the appellant had exhausted the maximum period of six years within which the Postgraduate Course should have to be completed, this Court cannot permit the appellant to further undergo the Course by sitting for subsequent examinations.

12. In view of the foregoing discussion, we find no error or infirmity in the order passed by the writ Court warranting interference.

13. Accordingly, the writ appeal stands dismissed. There shall be no order as to costs. Consequently, interim applications are closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
15.06.2026

Index : Yes/No
Neutral Citation : Yes/No
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