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W.P. No.50509/2025, etc. Batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	Pronounced on
07.04.2026	20.04.2026

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**W.P. NO. 50509 OF 2025
W.P. NOS.323, 1127 & 3617 OF 2026
AND
W.M.P. NOS. 56561, 56562 & 56563 OF 2025
W.M.P. NOS. 12967, 388, 1314, 4033, 385 & 1315 OF 2026**

W.P. No.50509 of 2025

Vikash Sharma

.. Petitioner

- Vs -

1. The Registrar
Tamil Nadu Dr. M.G.R. Medical University
No.69, Anna Salai, Guindy
Chennai 600 0032.
2. The Principal
Tamil Nadu Government Dental College & Hospital
Chennai 600 003.
3. The State of Tamil Nadu
Rep. By its Secretary to Government
Health & Family Welfare Department
Fort St. George, Chennai 600 009.
4. The Dental Council of India
Rep. By its Secretary



W.P. No.50509/2025, etc. Batch

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National Dental Commission Building
Plot No.14, Sector – 9
R.K.Puram, New Delhi 110 022.

.. Respondent

W.P. No.323 of 2026

K.Sandheep

.. Petitioner

- Vs -

1. The Director
Dental Council of India
Aiwan E-Galib Marg
Kotla Road, New Delhi 110 002.
2. The Registrar
Tamil Nadu Dr. M.G.R. Medical University
No.69, Anna Salai, Guindy
Chennai 600 0032.
3. The Principal
K.S.R. Institute of Dental Science & Research
K.S.R. Kalvi Nagar, Kuchipalayam Post
Tiruchengode 637 215, Namakkal Dist.

.. Respondents

W.P. No.1127 of 2026

K.Sandheep

.. Petitioner

- Vs -

1. The Union of India
Rep. By its Secretary to Govt.
Ministry of Health & Family Welfare Dept.
Nirman Bhawan, New Delhi 110 011.
2. The Secretary
Dental Council of India



W.P. No.50509/2025, etc. Batch

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Aiwan E-Galib Marg
Kotla Road, New Delhi 110 002.

3. The Registrar
Tamil Nadu Dr. M.G.R. Medical University
No.69, Anna Salai, Guindy
Chennai 600 0032.
4. The Principal
K.S.R. Institute of Dental Science & Research
K.S.R. Kalvi Nagar, Kuchipalayam Post
Tiruchengode 637 215, Namakkal Dist.

.. Respondents

W.P. No.3617 of 2026

M.Ashamalar

.. Petitioner

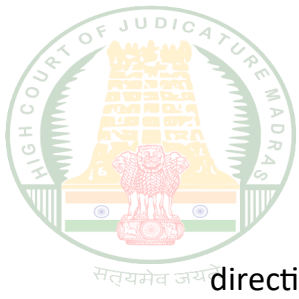
- Vs -

1. The Registrar
Tamil Nadu Dr. M.G.R. Medical University
No.69, Anna Salai, Guindy
Chennai 600 0032.
2. The Dental Council of India
Rep. By its Secretary
Aiwan E-Galib Marg
Kotla Road, New Delhi 110 002.
3. The Principal
Madha Dental College & Hospital
Madha Nagar, Kundrathur
Chennai 600 009.

.. Respondents

WP No. 50509 of 2025 Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned letter dated 10.10.2025 vide Ref. No. EXIII(2)/ 26602/ 2025 issued by the 1st respondent herein and quash the same and consequently

3



W.P. No.50509/2025, etc. Batch

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directing the 1st respondent to accept the petitioners examination form and permit the petitioner to appear for the Bachelor of Dental Surgery (B.D.S) University Examination scheduled in February 2026 in respect of the sole remaining subject namely conservative Dentistry and Endodontics and further direct the 1st respondent to apply the nine- year outer limit rule in a fair, reasonable and non mechanical manner, taking in to account the COVID 19 related systemic disruption, institutional and departmental delays and the fact that the petitioner a near-complete student with only one examination remaining.

WP No. 323 of 2026 filed under Article 226 of the Constitution of India praying this Court to issue a writ of Declaration declaring the impugned communication of the 3rd respondent dated 12.11.2025 in Ref.361/KSRIDSR/2025 as null and void, unconstitutional, arbitrary and consequently direct the respondents to extend the time permitting petitioner to complete the 3 subjects and rotatory internship for the course of BDS 2017- 2018.

WP No. 1127 of 2026 filed under Article 226 of the Constitution of India praying this Court to issue a writ of declaration declaring the impugned revised B.D.S. Course (7th Amendment) Regulation 2015 in No.DE-87(1)(7)-M2-2017/9897 dated 13.09.2017, issued by the 2nd respondent is deemed extension of B.D.S. Course Period till 11.09.2027 instead of 9 years duration of B.D.S. Course commencing from academic year 11.09.2017 to 2018

Or

declaring the impugned revised B.D.S. Course (7th Amendment) Regulation 2015 in No.DE-87(1)(7)-M2-2017/9897 dated 13.09.2017, issued by the 2nd respondent for outer time limit for completion of 9 years period of B.D.S. Course, consequential order of Discharge dated 12.11.2025 in reference



W.P. No.50509/2025, etc. Batch

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No.361/KSRIDSR/2025 issued by the 4th respondent as unconstitutional, ultra-virus, arbitrary and unreasonableness, consequently, direct the respondents to extend the time permitting the petitioner to complete the 3 subjects and rotatory internship for the course of BDS 2017-2018.

WP No. 3617 of 2026 filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records of the 1st respondent in his impugned proceedings in Ref.No.ACI(1)22962/2025 dated 18.8.2025 relating to the rejection of the petitioners request for condonation of break of study and quash the same and to grant permission to continue the BDS Degree course and appear for the final year examination.

For Petitioners : Mr. V.C.Janarthanan, for
Mr. C.Prabhakaran in WP 323 &
1127/2026
Ms. R.Rayeesha Fathima in WP
3617/2026
Mr. K.Venkatesh @
Dr.V.K.Swamy in WP 50509/25

For Respondents : Mr. Subramanian Vaidyanathan
for Dental Council of India in all
petitions
Mr. Sivavaithanathan for T.N.
Dr. MGR Medical University in
all the petitions
Ms. M.Sneha, Spl. Counsel for
RR-2 & 3 in WP 50509/25
Mr.Richardson Wilson for R-3 in
WP 3617/2026
R-1 – Not Ready Notice in WP
1127/2026
No Appearance for R-4 in WP
1127/2026



W.P. No.50509/2025, etc. Batch

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COMMON ORDER

The application of 9 year outer limit for completion of B.D.S. Course from the date of inception into the educational stream in view of the amendment made to the BDS Course Regulation, 2015 resulting in the negation of the representation given by the petitioners by permitting them to partake in the examination and also complete their internship, which has led to the filing of the present writ petitions.

2. The facts of the individual petitions are not dealt with in detail and as the gravamen of the pleadings raised by the petitioners fall within a very narrow sphere, suffice to capture the essence of the said averments in the present petitions so as to analyse the issues raised in the present petitions.

3. The petitioners, upon clearing and coming out successful in the NEET examination were selected and admitted to the respective Dental Colleges for pursuing BDS course during the academic year 2017-2018. The petitioners have continued in the said course and had completed the major portion of the four year course barring certain exams in a semester, or a semester or the final year exams. However, when they sought the indulgence of the respective



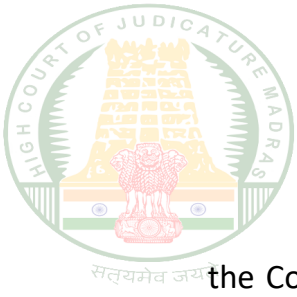
W.P. No.50509/2025, etc. Batch

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respondents to permit them to write the exams and complete the BDS course, the same was rejected citing that double the duration of the above course has passed and, therefore, as per the amendment made to B.D.S. Course (7th Amendment) Regulations, 2015 (for short 'Regulations, 2015') aggrieved by which the present petitions have been preferred.

4. Learned counsel appearing for the respective petitioners submitted that the amendment made vide Regulations, 2015, is in gross violation of Articles 14 and 19 of the Constitution and it is not in tune with Section 20 (2) of the Dentists Act, 1948.

5. It is the further submission of the learned counsel that the intention of the legislation must be to ensure that students, who are unable to complete the papers within a particular time frame for reasons beyond their control by restricting the maximum time limit of 9 yrs to complete the degree course would amount to deprivation of the rights of the students to complete the course successfully. Therefore, the impugned regulations is against the interest of the petitioners and it violative of the rights guaranteed under Articles 14 and 19 of



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the Constitution, as it otherwise spoils the efforts of the petitioners in pursuing their BDS career.

6. It is the further submission of the learned counsel that in respect of MBBS course, the outer time limit to complete the course is fixed at 10 years whereas for BDS course, it is fixed at 9 years, which time prescription is without any rationality and equality and, thereby, there is clear violation of the guarantees provided under the Constitution. Further, the period of 9 years restriction fixed under Regulations, 2015, has no nexus with the impugned clause and the objects sought to be achieved in order to maintain the standard of dental education.

7. It is the further submission of the learned counsel that during the period in which the petitioners were undergoing their studies, there was the intervening period of lockdown due to COVID-19 pandemic in which the Apex Court had extended the period of limitation for the purpose of filing cases and by the same analogy, the limitation insofar as the prescription of the time period of 9 years also would have to be extended, as the said pandemic period had crippled the petitioners from attending the classes and completing the subjects and appearing



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in the examinations, which have had a cascading effect on their career, as they were not able to finish the course within the time prescribed in the Regulations, 2015.

8. It is the further submission of the learned counsel that the petitioners and their family members were affected with COVID, thereby, they could not move out for more than 7 months and the recovery had also been time consuming and this also has been a factor in the petitioners not being able to complete the BDS course within the prescribed period of 9 years and the 9 years restriction had curtailed the academic advancement of the petitioners and just like the extension of limitation by the Courts insofar as filing of cases is concerned, the respondents ought to have extended the period during which the lockdown was imposed, which would have enured to the benefit of the petitioners.

9. It is the further submission of the learned counsel that clearance of all the subjects within a period of 9 years as provided in the amendment to Regulations, 2015 would only have to be read that the said period of 9 years would start ticking only from the date when the examination falls due for the first

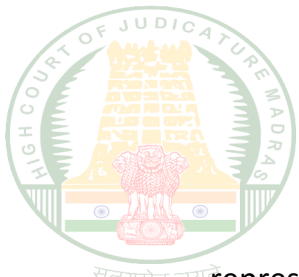


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time and it would not be taken to be from the first day of the petitioner in the BDS course as such a construction would not only defeat the purpose for which it was amended, but it would also be against the interest of the students for whose benefit the said amendment was carried out.

10. It is the further submission of the learned counsel that the insistence on production of 'No Due Certificate' due to which the delay has arisen, which is now put against the petitioner, cannot be a precondition to forward the petitioner's application as such insistence is wholly arbitrary and illegal and against the interest of the petitioners and also their education and their career. It is the submission of the learned counsel that at best, the petitioners should have been permitted to continue the course subject to payment of dues as recognized by the Apex Court in various decisions.

11. It is the further submission of the learned counsel that the delay, which had arisen on account of the respective respondent college not forwarding the representation of the petitioners, which were submitted way back in the year 2024, seeking permission to take up the examination and also the further internship period cannot be put against them by the respondents to reject the



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representation of the petitioners as it not only violates the constitutional guarantees, but also impinges on the rights of the petitioners to right to livelihood, which, if not for completion of the course, would jeopardize their entire career.

12. It is the further submission of the learned counsel that before carrying out the amendment to Regulations, 2015, the mandatory prescription of having consultation with the State and Central Governments as provided for under proviso to Section 20 (g) and (h) of the Dentists Act have not been complied with and, therefore, the said amendment is grossly perverse, arbitrary and it is de hors the legal sanction as provided for under the aforesaid provisions of the Dentists Act.

13. It is the further submission of the learned counsel that it is settled principle of law that procedural technicalities should not stand in the way of substantive justice and denying a student the right to write the final examinations after having completed all clinical quotas and paid the fees would be nothing but a 'civil death', which cannot be allowed to be perpetrated against the students.



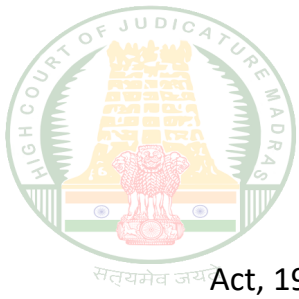
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14. In fine, it is the submission of the learned counsel that the present cases are fit for invoking the extraordinary jurisdiction of this court to grant the relief so that not only the constitutional guarantees are safeguarded, but the lives of the students is also saved and their effort in obtaining medical seats may not be allowed to go waste due to certain acts of the respondents such as delay, thereby, substantial justice is rendered to the petitioners. Accordingly, they pray for allowing the present writ petitions.

15. In support of the aforesaid submission, learned counsel placed reliance on the decision of this Court in ***Nizvy Sunil Prakash – Vs – The Secretary, Dental Council of India & Ors. (2014 (1) CTC 257)***.

16. Per contra, the concise and combined submissions advanced by the learned counsel appearing for the respective respondents in support of their plea could be briefly summarised thus :-

16.1 The Dental Council of India is the authority vested with the responsibility of discharge and maintenance of highest standards of dental education throughout the country and in the discharge of the said function, through the Dentists Act, which is *pari materia* to the Medical Council of India



W.P. No.50509/2025, etc. Batch

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Act, 1956, the authority is vested with the responsibility of framing the necessary regulations for the discharge of the statutory obligations.

17. It is further submitted that it has been the consistent ratio of the Apex Court that the regulations framed are binding and mandatory and that all the State enactments, rules and regulations framed by the respective Universities, etc., with regard to the conduct of medical/dental courses, to the extent they are inconsistent with the Act and Regulations made by the Medical Council are repugnant by virtue of Article 254 of the Constitution inasmuch as the said Act is relatable to Entry 66 List 1 Schedule VII of the Constitution, which view has been reaffirmed by the Constitution Bench in ***Dr.Preeti Srivastava – Vs – State of M.P. & Ors. (1997 (7) SCC 120).***

18. It is the further submission that in discharge of the statutory obligation towards the maintenance of the standards in dental education, by virtue of the provisions of Section 20 of the Dentist Act, the Council is empowered, with the prior approval of the Union of India to frame regulations for laying down minimum standards for the conduct of dental courses.



W.P. No.50509/2025, etc. Batch

WEB COPY

19. It is further submitted that only in exercise of the powers conferred by Section 20 of the Dentists Act, 1948, the Dental Council of India, with the previous sanction of the Central Government has brought Amendment to the existing BDS Course Regulations, 2007 by introducing the impugned amendment, which prescribed that any student, who does not clear the BDS course in all the subject within a period of 9 years, including one year compulsory rotary paid internship from the date of admission shall be discharged from the course. It is further submitted that the amendment is applicable only in respect of those students who have been admitted in BDS course in any dental institution after the date of commencement of the regulation, viz., 27.4.2015 and the same is applicable to the petitioners.

20. It is further submitted that the amended regulation was in force when the petitioners were admitted in the academic year 2017-2018 and they are bound by the said amendment. Further, the petitioners having got admission into the BDS course under the amended regulations and having appeared for the examinations under the very same Regulations several times, it is not open to the petitioner to maintain a challenge to the direction of the College/University which is in consonance with the Regulations.



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21. It is the further submission that the duration of the BDS course programme cannot be open ended and the Dental Council cannot go contrary to its own Regulations by relaxing the provisions which are mandatory in nature and there is no provision under the Dentists Act, which gives any leverage to the Dental Council to relax the regulations even in extraordinary circumstances.

22. It is the further submission that all the petitioners have joined the course during the academic year 2017-2018 and the respective respondent/Universities had forwarded the representation for permission for the students to appear in the examination, but a verification of the relevant records revealed that the petitioners have failed to complete the BDS course within the time frame provided under the amended Regulations and even if the petitioners are allowed to write the examination, which is due for the academic year 2026, being the 9th year of their course, that would not suffice, as the petitioners would need to undergo the Compulsory Rotatory paid Internship, that too within the stipulated period of 9 years, which they could not complete and, therefore, the amended regulation would come into play and necessarily the petitioners required to be discharged from the course.



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23. It is therefore the submission that following the amended regulations and the petitioners not having completed the exams and they could not complete the internship also within the period of 9 years as mandated in the regulations, the petitioners representations were rejected and they were directed to be discharged, as the said regulations are mandatory and, therefore, no exemption can be granted to the petitioners.

24. It is the further submission of the respondents that the plea of COVID-19 pandemic would not in any way help the petitioners as after the pandemic, examinations were regularly conducted between March, 2021 and February, 2024 on more than 9 occasions and the petitioners failed to utilise even the examinations sessions of February, 2025 and August, 2025 and, therefore, they cannot now come and plead that the pandemic has caused great damage and the limitation period, as extended by the Apex Court with regard to filing of cases, should be made applicable to them, is grossly erroneous and impermissible as the petitioners had more than five years of time after the pandemic and, therefore, cannot plead that the pandemic as a reason for claiming any extension.



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25. It is the further submission that there was no delay in forwarding of the representation of the petitioners seeking permission and extension for completing the course and that the non-payment of fees was not the criteria in delaying the forwarding of the application. It is the submission that even through there was outstanding amount towards fees, the application of the petitioners were forwarded immediately to the Dental Council for consideration and, in fact, recommendation was made that their case may be sympathetically considered. Therefore, the delay alleged by the petitioners is only to eke sympathy from this Court and there is no actual delay.

26. In fine, it is the submission on behalf of the respondents that the callous attitude of the petitioners in not completing the examination and the internship within the time stipulated under the Regulations has resulted in the discharge of the petitioners from their admission and it is not due to any fault on the respondents, who have merely followed the rule of law in letter and spirit and, therefore, their discharge is based on the Regulations and, therefore, no interference is warranted with the said order.



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27. In support of the aforesaid submission, reliance has been placed on the decision in ***Dr.Ranjan Agrawala – Vs – University of Delhi & Ors. (2023 SCC OnLine Del 3762)***.

28. This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on record.

29. The responsibility of discharge of duty and maintenance of the standards of dental education throughout the country is vested in the Dental Council of India, which is akin to the Medical Council of India. There is no dispute with regard to the same. Therefore, for maintaining the standard in education and for the discharge of the duties entrusted to it, power has been conferred under the Dentists Act, 1948, to make regulations, which is provided for u/s 20 and for better appreciation, the same is quoted hereunder :-

“20. Power to make regulations. —(1) The Council may, with the approval of the Central Government, 4[by notification in the Official Gazette,] make regulations not inconsistent with the provisions of this Act to carry out the purposes of this Chapter.



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W.P. No.50509/2025, etc. Batch

(2) In particular and without prejudice to the generality of the foregoing power such regulations may—

*(a) provide for the management of the property of the Council 5***;*

(b) prescribe the manner in which elections under this Chapter shall be conducted;

(c) provide for the summoning and holding of meetings of the Council and the Executive Committee, the times and places at which such meetings shall be held, the conduct of business thereat and the number of members necessary to constitute a quorum;

(d) prescribe the functions of the Executive Committee;

(e) prescribe the powers and duties of the President and Vice-President;

(f) prescribe the tenure of office and the powers and duties of the Secretary 6[and other officers and servants of the Council and Inspectors and Visitors appointed by the Council];

[(fa) prescribe the form of the scheme, the particulars to be given in such scheme, the manner in which the scheme is to be preferred and the fee payable with the scheme under clause (b) of sub-section (2) of section 10A;

(fb) prescribe any other factors under clause (g) of sub-section (7) of section 10A;

(fc) prescribe the criteria for identifying a student who has been granted a dental qualification referred to in the Explanation to sub-section (3) of section 10B;]



(g) prescribe the standard curricula for the training of dentists and dental hygienists, and the conditions for admission to courses of such training;

(h) prescribe the standards of examinations and other requirements to be satisfied to secure for qualifications recognition under this Act;

[(ha) the designated authority, other languages and the manner of conducting of uniform entrance examination to all dental educational institutions at the undergraduate level and post-graduate level;]

(i) any other matter which is to be or may be prescribed under this Act:

Provided that regulations under clauses (g) and (h) shall be made after consultation with [State] Governments.

(3) To enable the Council to be first constituted, the Central Government may make regulations for the conduct of the elections to the Council, and any regulation so made may be altered or rescinded by the Council in exercise of its powers under this section.

[(4) Every regulation made under this section shall be laid, as soon as may be after it is made before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation



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W.P. No.50509/2025, etc. Batch

shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.]”

(Emphasis Supplied)

30. Even a bare perusal of clause (g) and (h) of sub-section (2) of Section 20, it is clear that power with regard to curricula for the training of dentists, dental hygienists and conditions for admission to courses of such training, standards of examinations and other requirements has been vested with the Dental Council. However, the only condition prescribed under Section 20 (1) is that the Regulation framed by the Dental Council should have the approval of the Central Government and that the State Government shall also be consulted with.

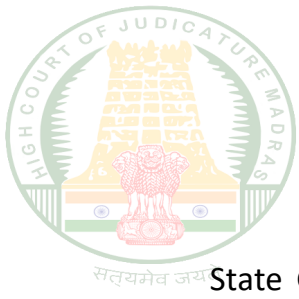
31. From the above, it is clear that while approval from the Central Government is mandatory for the purpose of framing and putting into force the regulation framed by the Dental Council, however, with regard to the role of the State Government is concerned, it is only that consultation shall be had with them. The approval of the State Government for framing regulation is not required and the approval of Central Government alone is suffice.



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32. It is the contention on behalf of the petitioners that the approval of the Central Government for amendment to the Regulation and also consultation with the State Government before amendment have not been undertaken and, therefore, the amendment to the regulations cannot be enforced.

33. To counter this contention, on behalf of the respondents, the meeting of the Council held on 20th and 21st December, 2013 in which the aforesaid amendment to the Regulation was proposed has been placed along with which the letter dated 17.10.2014 seeking approval of the Central Government for making the necessary amendment has also been sought for to which, vide approval dated 27.01.2015, the Government of India has granted its approval. From the above communications, it is evident that the procedure for amending the said Regulation as prescribed u/s 20 of the Dentists Act has been properly undertaken. Further, as stated above, it is only a consultative process that is to be undertaken by the Dental Council with the State Governments, which could only be said that it is prior to proposing the amendment as after the amendment is coined by the Dental Council, no necessity would arise for consultation with the



W.P. No.50509/2025, etc. Batch

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State Government and it is only forwarding of the amendment to the Central Government for approval.

34. In the present case, as stated above, once the amendment is proposed, the only inference that could be drawn from it is that consultation with the State Governments have been completed, which would also be evident from the said minutes dated 7.10.2014, wherein the Dental Council has, in clear terms, stated that after discussion and deliberation in the matter, the following amendment was proposed. This is a clear indicator that the discussion, which is meant in the said minutes is the discussion, which the Council would have had with the State Governments, as after discussion, the matter would have been deliberated by the Council leading to the said amendment proposed.

35. Further, it is also to be pointed out that the process of consultation with regard to framing a Regulation imposing a time period for completion of the course/examination had already been proposed and come in the form of Regulation and the present substitution is only an amendment, which is to benefit the students to complete the course within the period prescribed, which has been elongated by the said Regulation. Therefore, the deliberation and



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discussion of the magnitude which would take place at the first instance may not have taken place at this point of time, as new regulation has been framed, but only an alteration/change to the existing regulation. Therefore, the consultative process is only a discussion and not the opinion of the State Government, as the Dental Council is vested with the authority to maintain the standards of examination and in such a scenario, the consultative process for the purpose of making certain amendments would not necessarily be exhaustive as an exhaustive discussion and deliberation would have taken place at the inception of framing the regulation and any minor alterations/amendments in the regulations, which are not detriment to the State/Universities would not stand curtailed under clause (h) of sub-section (2) to Section 20. Therefore, the contention of the petitioners that there is violation of Section 20 (2)(g) and (h) is clearly erroneous and misconceived and, therefore, the said amendment cannot be held to be bad. The decision in *Nizvy Sunil Prakash case (supra)*, therefore, in no manner would support the case of the petitioners.

36. Coming to the case amendment proper, the amendment fixes a time period within which the students should complete the course and for better appreciation, the same is quoted hereunder :-



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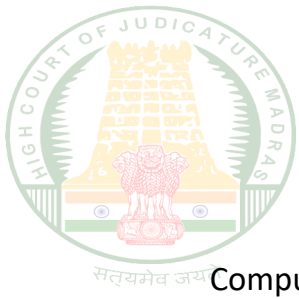
W.P. No.50509/2025, etc. Batch

“Any student who does not clear the BDS course in all the subjects within a period of 9 years including one year Compulsory Rotating Internship from the date of admission shall be discharged from the course.”

37. In this regard, it is the stand of the learned counsel for the petitioners that the 9 year period would operate for each and every year examination and, therefore, if a student is writing the 4th year examination, then 9 years would be available to the student to complete the course from the date of the 4th year examination, which would be inclusive of the Compulsory Rotating paid Internship. Though such an argument is advanced, it could only be held to be a last straw that the petitioners want to hold on to save themselves from the clutches of discharge.

38. Even a bare perusal of the amendment would reveal that it clearly signifies that all the subjects, irrespective of the year of exams written by the students, should be completed within a period of 9 years, which would also include the period of one year Compulsory Rotating Internship. This would only indicate that the course duration is four years and four additional years are provided to a student to complete the course, if any subjects are in arrears and have not been cleared, with one year made available for completing the

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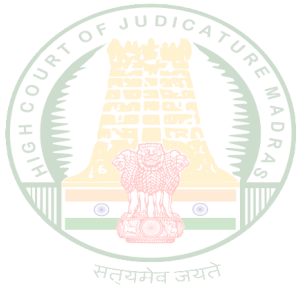


W.P. No.50509/2025, etc. Batch

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Compulsory Rotating Internship. Only in that regard, the word double the duration of the course has been employed while addressing the representation of the petitioners, as it is 4 + 4 years, which is given to complete the course.

39. It is to be pointed out that a time frame has to be fixed by the Council for completing the course and it cannot be left to the choice of the students to complete the course at his convenience. The prescription of period is provided so as to weed out persons, who have not completed the course as over a period of time, education undergoes reformatory process in the form of change in curriculum due to advancement in medical fields and, therefore, the change in curriculum would definitely bar the conduct of examination in the older format/curriculum. Only to safeguard the interests of the students as also to benefit the public from the latest advancement in medical field by changing the curriculum to the needs of the hour, the period has been prescribed. The said prescription cannot be said to be erroneous and it cannot be allowed to continue for decades together for the student to complete the course. Therefore, the contention advanced is clearly against the spirit of the Regulation and the same cannot be entertained and, accordingly, the said contention is rejected.



W.P. No.50509/2025, etc. Batch

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40. The next contention is with respect to the individual case of the petitioners, three in number of which the petitioner in W.P. No.50509/2025 is left with one paper to complete; the petitioner in W.P. No.323/2026 has one semester to complete and the petitioner in W.P. No.3617/2023 has to complete a full years examination. The above is barring the period of Compulsory Rotating Internship, which is to be for a period of one year upon completing all the exams.

41. The details of the individual petitioners and the date of their joining the course has been placed before this Court. It is the admitted case of the parties that the petitioners joined the course during the academic year 2017-2018 and by the year 2026, the nine year period would come to a close. As per the amendment, the petitioners have to complete all the papers including the Compulsory Rotating Internship within a period of nine years. In this scenario, even, for the sake of argument, if it is accepted that the petitioners are allowed to write the examination, even then, the petitioners would only be able to complete the examination within the period of 9 years and yet fall short by a period of one year by not being able to complete the Compulsory Rotating Internship by application of the amended Regulation as the 9 year period



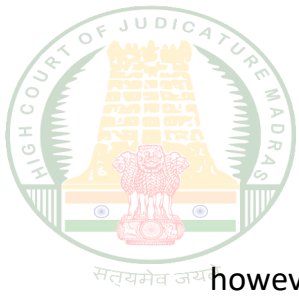
W.P. No.50509/2025, etc. Batch

WEB COPY

prescribed under the Regulation is inclusive of the Compulsory Rotating Internship period.

42. Further, it is to be pointed out that the said Regulation is mandatory as there is a clear prescription of period of 9 years, which cannot be extended as the BDS course itself is not an open-ended course, but a structured time bound course. Further, it is not the case of the petitioners that the Regulation permits the Council to grant exemption/extension and in the absence of any such provision, which gives power to the Council to grant extension/exemption, the mandatory nature of the period under the Regulation clearly bars the Council from exercising any discretionary powers and rightly appreciating the position, the Council has refrained from granting any relief by rejecting the representations of the petitioner, which cannot be said to be perverse, arbitrary or unreasonable; rather it is within the framework prescribed by the Regulations and necessarily the said order of rejection deserves to be upheld.

43. Though the petitioners have alleged that delay had occasioned on the part of the College/University, but for which they would have had enough time to complete the examinations and also the Compulsory Rotating Internship,



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however, no materials evidencing the said contention has been placed by the petitioners. On the other hand, the respondents have placed materials to show that after the COVID-19 pandemic, almost 9 examinations were conducted during which period the petitioners could have attempted it to complete the course. The petitioners have miserably failed to attend the exams and coming at the 11th hour with this plea by dangling the chain of sympathy, this Court cannot exercise its extraordinary jurisdiction as the lethargic act of the petitioners has resulted in this scenario which has warranted their discharge from the course. The petitioners have not been diligent enough to continue the education inspite of the fact that the regulation itself provides extended timelines to complete the course and that being the position, the discharge of the petitioners for failing to complete the course within the time stipulated by the Regulations cannot be interfered by invoking the extraordinary jurisdiction of this Court, as this is not an extraordinary situation necessitating an extraordinary relief; rather it is a human made situation, which does not require any extraordinary remedy.

44. For the reasons aforesaid, all the writ petitions fail and, accordingly, the same are dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.



W.P. No.50509/2025, etc. Batch

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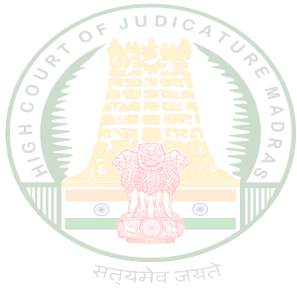
20.04.2026

Index : Yes / No

GLN

To

1. The Secretary to Government
Health & Family Welfare Department
Government of Tamil Nadu
Fort St. George, Chennai 600 009.
2. The Principal
Tamil Nadu Government Dental College & Hospital
Chennai 600 003.
3. The Director
Dental Council of India
Aiwan E-Galib Marg
Kotla Road, New Delhi 110 002.
4. The Registrar
Tamil Nadu Dr. M.G.R. Medical University
No.69, Anna Salai, Guindy
Chennai 600 0032.



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W.P. No.50509/2025, etc. Batch

M.DHANDAPANI, J.

GLN

**PRE-DELIVERY ORDER IN
W.P. NO. 50509 OF 2025
W.P. NOS. 323, 1127 & 3617 OF 2026**

**Pronounced on
20.04.2026**