

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P.No.49495 of 2025
and
W.M.P.No.55300 of 2025**

R.Suthakar,
S/o.Rajiah,
No.32, Ellaya Street,
Old Washermanpet,
Chennai-21

Petitioner

Vs

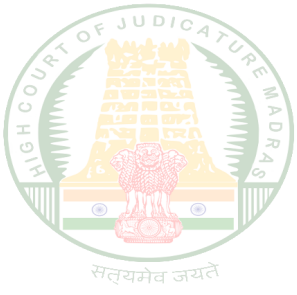
1. The Controller of Examinations,
The Tamilnadu Dr.M.G.R Medical University,
No.69, Anna Salai, Guindy, Chennai-32.

2.The Registrar,
The Tamilnadu Dr.M.G.R Medical University,
No.69, Anna Salai, Guindy, Chennai-32.

Respondents

PRAYER

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in his letter No.Ex-II(5)/20357/2021, dated 1.12.2025 and quash the same and thereby permit the petitioner to appear and write the final 3rd attempt in January 2026 for Part-I, Paper-I Methodology examination in the research leading to Ph.D.



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For Petitioner

Mr.N.Suresh

For Respondents

M/s C.Latharani, Standing
Counsel for R1 and R2

ORDER

The Writ Petition is filed challenging the impugned order dated 01.12.2025 and quash the same and thereby, permit the petitioner to appear and write the final third attempt in January 2026, for Part-I, Paper-I Methodology examination, in the research leading to Ph.D. and to pass such further orders.

2.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that, the petitioner registered with the Tamil Nadu Dr.M.G.R. Medical University for Ph.D., Programme in Pharmacy and his provisional registration commenced on 16.05.2023 under the guide ship of one Dr.K.Senthilkumaran, Professor and Head of the Department of Pharmaceutics, K.K.College of Pharmacy, Gerugambakkam, Chennai-122.

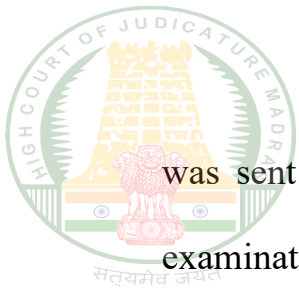
3. As a first step, the petitioner has to pass the written examination of Paper-I of Methodology so as to continue his research work. As a matter of fact, the Rule of the first respondent-University is that every student will be given



three opportunities and the student should clear the examination in the three attempts. The case of the petitioner is that, while he had appeared and failed on

two occasions in January 2024 and July 2024, the 3rd opportunity is not extended to the petitioner. On the contrary, the impugned order is passed as if he failed to appear in his third and final attempt and thereby he became ineligible. As far as the third attempt is concerned, the petitioner never applied or intended to write the examination in the month of January 2025. Therefore, he must be permitted to take the next examination, that is conducted on 29.01.2026. The learned counsel would also rely upon the judgment of the Delhi High Court Division Bench in *Guru Gobind Singh Indraprastha Univeristy v. Abhinav Pandey and others in L.P.A.No.248 of 2018*, whereby the word ‘attempt’ is interpreted and in case of any absence, the same should not be taken as an attempt.

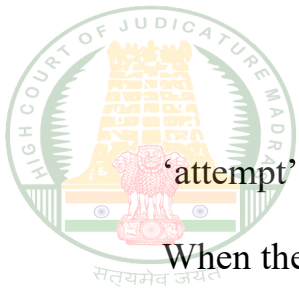
4. Per contra, the learned standing counsel appearing on behalf of the University would submit that for every examination, the hall ticket will be sent only to the guide and the candidates have to pay the fee in the morning and then, appear for the examination. For the earlier attempts, in January 2024 and in July 2024, also the hall ticket was sent to the guide of the petitioner and the petitioner appeared in the examination by paying the fee. When the third turn came in the month of January 2025, similarly by following the very same procedure, that is followed in respect of every other candidate, the hall ticket



was sent to the guide and the petitioner failed and omitted to appear in the examination and thereby, exhausted his third attempt also. Therefore, the petitioner cannot now continue, but he will only be discharged and he has to re-register, if he wants to make one more attempt afresh.

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 the issue relates to the continuance of the educational programme of the petitioner, that is the Ph.D programme. There is no dispute as to the rule of the University that the candidate has to pass paper-I methodology in three attempts. The petitioner has also written two attempts in January 2024 and July 2024 and failed in those two attempts. When the 3rd examination was due, in January 2025, the University has rightly sent the hall ticket to the guide, as per its procedure, that is followed. No fault whatsoever can be attributed to the University. The only question to be decided is that, when the petitioner on his own did not appear and remained absent for the examination, whether his absence should be treated as an attempt or not. In this regard, this Court also adjourned the matter for placing on record, whether the word 'attempt' has been defined by the University statutes/Regulations. Even today, no definition in any of the Regulations and Circular of the University is placed on record. Therefore, it only remains on the interpretation of the term

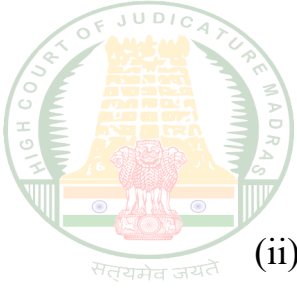


‘attempt’. The term ‘attempt’ has to be interpreted, according to the context.

When the judgment of the Division Bench of Delhi High Court in *Guru Gobind Singh Indraprastha Univeristy v. Abhinav Pandey and others* (cited supra) has interpreted the word ‘attempt’ not to mean an absence, I am of the view that in the present context, where two views are possible, a view can be taken so as to further the cause of education of the concerned student, only as an exceptional case in the particular facts and circumstances of the instant case.

7. In this case the petitioner had not written the examination in January 2025 and the same was also not immediately informed to the petitioner in 2025 itself, that he was discharged from the Ph.D course. Now informing him after a period of one year, would work to the prejudice of the petitioner, as he will lose one more year. Only in this peculiar circumstances of the case, I am of the view that the petitioner can actually be permitted to make an actual third attempt and the writ petition is disposed of on the following terms:

(i)The petitioner shall be permitted by the first respondent-University to appear for the Methodology Paper-I examination, which is to be conducted on 29.01.2026, which will be the third and final attempt of the petitioner



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(ii)The authorities shall act upon the web copy of this order, without waiting for the certified copy of the order. No costs. Consequently, connected Miscellaneous Petition is closed.

21-01-2026

Neutral Citation:Yes

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To

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University, No.69, Anna Salai, Guindy,
Chennai-32

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The Tamilnadu Dr.M.G.R Medical
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D.BHARATHA CHAKRAVARTHY, J.

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