



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.31106 of 2022

H.Vennila
No. 35A, 3rd Cross Street,
ShankaradassSwamigal Colony,
Lawspet, Puducherry - 605008.

Petitioner

Vs

1. State represented by,
The Registrar,
The Pondicherry University,
Kalapet, Pondicherry-605 014.
2. Bharathidasan Government College for Women,
Represented by the Principal, Muthialpet,
Puducherry – 605 003.
3. The Secretary to Government (Education),
Pondicherry.
4. The Director,
Directorate of Higher and Technical Education,
Puducherry.
5. Vijayalakshmi,
Student/Gold Medalist (2015-2018)
Bharathidasan Government College for Women,
Represented by the Principal,
Muthialpet, Puducherry-605 003.

Respondents



PRAYER

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Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned Order dated 19.11.2021 vide in No.12-1/BGCW/ Estt./ CE/2021/ passed by the 2nd respondent and to quash the same and consequently direct the respondents 1 and 2 to award a Gold Medal with relevant academic certificates to the petitioner herein for her meritorious academic performance in the B.Com(Corporate Secretaryship) course conducted during the academic session 2015-2018.

For Petitioner M/s C.Bhargavi

For Respondents Mr.R.Syed Musthafa, Spl.GP
(Pondy) for R1 to R4

ORDER

Writ petition is filed for a writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 19.11.2021 passed by the second respondent and to quash the same and consequently direct the respondents 1 and 2 to award a Gold Medal with relevant academic certificates to the petitioner herein for her meritorious academic performance in the B.Com (Corporate secretaryship) course conducted during the academic session 2015-2018.

2.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that she underwent B.Com (Corporate Secretaryship)course in the second respondent college during the academic years 2015 to 2018. The petitioner, after successful



completion of the course, attended the convocation also. However, the petitioner, who was the topper with the overall score of 2014 out of 2600 was not conferred with the gold medal. However, the 5th respondent namely Vijayalakshmi, who scored only 1923/2600 marks (i.e.) 109 marks, less than the petitioner, was granted the gold medal. The petitioner, therefore made a representation to the respondents and the same is now rejected by the impugned order and the petitioner is before this Court.

3. The learned counsel for the petitioner submits that the gold medal was rejected to the petitioner only on the ground that she was absent for one examination in the first semester. The petitioner was absent because he was afflicted with dengue fever and when she wrote the examination in the ensuing semester as an arrear paper, she cleared the same in the first attempt itself. Therefore, it cannot be deemed to be a second attempt. The learned counsel for the petitioner would rely upon the judgement of the Delhi High Court, in *W.P. (C)No.2028/2016 in Abhinav Pandey and Guru Gobind Singh Indraprastha Univeristy and others*. The Delhi High Court considered the very same issue of gold medal and the very same facts and circumstances wherein the candidate was absent and cleared the examination in the next attempt and after considering the meaning of the word 'attempt', the Delhi High Court said that the candidate, whose absent on account of illness or due to any other disability, should not be considered as cleared the subject in the second attempt and directed the authorities to confer the gold medal on the particular candidate. The



matter was carried out by way of an intra-court appeal before the Hon'ble Division Bench of the Delhi High Court and by a judgment dated 16.10.2018 in

WEB COPY L.P.A.No.248 of 2018, the Division Bench also confirmed the same view.

Therefore, the learned counsel submits that the impugned order in the present case is liable to be set aside and the petitioner is liable to be conferred with the gold medal.

4. Per contra, Mr.R.Syed Musthafa, the learned Special Government Pleader (Pondy) appearing on behalf of the respondents one to 4 would submit that the grant of gold medal is not by way of any statutory right, but by way of academic schemes, that are framed by the authorities. The Pondicherry University has issued a Circular, dated 04.06.2018, which would be applicable with reference to the concerned year, in which, the petitioner belongs wherein it clearly says that all the subjects should have been passed out in the first attempt itself. Whether the petitioner is absent or failed in the first attempt does not matter. Therefore, the consistent meaning that is given for the word 'attempt' is that it should be on the first time and the same is uniformly followed in respect of all the students.

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



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6. It can be seen that the Circular dated 04.06.2018 reads as follows:-

CIRCULAR

“Gold Medals are to be awarded to the Top Rank Holder of each course in the ensuing Convocation of the Pondicherry University. To select the Top Rank Holder in each course the Heads of Departments are requested to furnish the Top Three Rank Holders of their Department course wise, in the proforma enclosed.

It is to be noted that the candidate who come under the top 3 positions should have completed their End Semester/Annual Exams conducted during May 2018 and passed out all the exams in the First attempt itself.

Separate sheets may be used for each course conducted by the Department.”

Therefore, the meaning of the word ‘first attempt’ is the one, that is in question. No doubt, it is true that the Delhi High Court considered an identical rule and in an identical situation held that absenteeism should not be considered as an attempt. However, since the word ‘attempt’ is not defined in the circular or in any of the relevant statutes, it cannot be given a hard-and-fast meaning one way or the other and it must depend on the context in which the word is sought to be construed.

7. I take into consideration that the conferment of a gold medal is by way of an academic scheme so as to recognise the academic brilliance of the student so that it results in further motivation to the student, who receives the medal and also the other students to aspire to receive one. There is no legal right, that is involved. In such kind of matters, the ascertainment of the meaning for re-



phrase 'first attempt' should be advised left to the academicians themselves, especially when they are imparting a meaning uniformly for all the students.

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8. Secondly, I am unable to follow the judgment of the Delhi High Court because, there may be another student, who was also afflicted with dengue fever but, inspite thereof, would have preferred to attempt the exam and would have scored lesser marks on account of the disease. Therefore, it depends on the individual decision of the candidates and it cannot be said that any equality clause is violated. Therefore, with utmost respect to the Honourable Delhi High Court, I am not inclined to follow the said proposition, that is laid down, especially considering the fact that these are academic matters which should be advised left to the academicians and that no legal right is involved and competition between students are involved.

9. It must also be seen that, the 5th respondent has long before been conferred with the medal along with the other two toppers. At this point of time, for the court to interfere in the same would be unfair to them also.

10. But it can also be seen that the petitioner is a very meritorious candidate, having secured a clear 109 marks ahead of the next candidate. Even if tentatively given zero for the second attempt for the particular subject, the petitioner would still lead by 9 marks. She has also passionately been knocking on the doors of the respondents for the honour.



11. Considering the peculiar circumstances of this case the and
WEB COPY considering the fact that the second respondent college is now an autonomous institution and an academic certificate on merit, mentioning that the petitioner is also a gold medallist, topping the year, in the same format, as it was given to the 5th respondent, shall also be issued to the petitioner.

12. Accordingly, this Writ petition is disposed of. No costs.

21-01-2026

Neutral Citation: Yes
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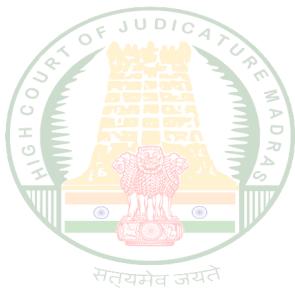
To

1. The Registrar,
The Pondicherry University, Kalapt, Pondicherry - 605014.

2. The Principal,
Bharthidasan Government College for Women,
Muthialpet, Puducherry - 605003.

3. The Secretary to Government(Education),
Pondicherry.

4. The Director,
Directorate of Higher and Technical Education, Puducherry.



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D.BHARATHA CHAKRAVARTHY, J.

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