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Cont.P.No.1422 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 29.07.2026

Pronounced on: 06.08.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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P.Kuppusamy

... Petitioner

Vs.

1.Dr. P.Senthil Kumar, I.A.S.,
The Government of Tamil Nadu,
Rep. by its Secretary,
Health and Family Welfare Department,
Chennai-600 009.

2.Dr. D.K.Chitra,
The Director of Medial and Rural Health Services,
Medical Department, DMS Campus,
Teynampet, Chennai-600 006.

3.R.Suganthi Rajakumari,
The Director of Medical Education,
162, Periyar E.V.R. High Road,
Kilpauk, Chennai-600 010.

4.Dr. Shankar Shanmugam,
The Joint Director of Medical Education and Research,
Directorate of Medical Education and Research,
Kilpauk, Chennai-600 010.

... Contemnors/Respondents

Prayer:

Contempt Petition filed under Section 11 of Contempt of Courts
Act praying to punish the respondents for wilful and deliberate



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disobedience of the order dated 10.11.2025 passed by this Court in W.P.No. 42854 of 2025 under the provisions of the Contempt of Courts Act, 1971.

For Petitioner : Mr.S.Karthikei Balan

For Respondents

For R1 & 2 : Mrs.A.Suganya
Government Advocate

For R3 & 4 : Mr.P.V.Balasubramaniam,
Additional Advocate General
Assisted by
Mr.J.V.Sakthi Balakrishnan

ORDER

This contempt petition has been filed praying to punish the contemnors for disobeying the order passed by this Court in WP.No.42854 of 2025 dated 10.11.2025 thereby quashing the notification dated 10.10.2025 issued by the fourth respondent and directing the third and fourth respondents to issue a fresh notification, strictly in accordance with the service rules calling for the filled-in proforma of all eligible candidates appointed to regular service from the year 2005 onwards for preparation of the panel for promotion to the post of Nursing Tutor Grade-II for the year 2025-2026.



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2. It is found that in compliance of the order passed by this Court, a fresh notification was issued on 30.12.2025 thereby calling for particulars from all eligible staff nurses appointed to regular service from the year 2005 onwards for preparation of panel for promotion to the post of Nursing Tutor Grade-II for the year 2025-2026. After receipt of particulars from the institutions concerned, panel was published for promotion to the post of Nursing Tutor Grade-II in accordance with service rules.

3. However, the learned counsel for the petitioner submits that the respondents failed to follow the procedure laid down in GO.Ms.No.272, Health and Family Welfare (AA2) Department dated 09.09.2014. Further, the respondents failed to follow the ratio of appointment as 1:2 between the direct recruitment and promotion for the post of Nursing Tutor Grade-II.

4. The learned Additional Advocate General appearing for respondents 3 & 4 submits that as directed by this Court and in accordance with the service rules and as per GO.Ms.No.272, Health and Family Welfare (AA2) Department dated 09.09.2014, the methods of appointment for the post of Nursing Tutor Grade-II is either by way of

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recruitment by transfer from Staff Nurses in Category II of Branch-III Nursing in the Tamil Nadu Medical Subordinate Service or by direct recruitment provided that the appointment to the post of Nursing Tutor Grade-II from among women and men shall be made in the ratio of 3:1. Accordingly, revised panel for the post of Nursing Tutor Grade-II has been published and complied with the order passed by this Court.

5. At this juncture, the learned counsel for the petitioner submits that the ratio fixed as 1:2 in GO.Ms.No.272, Health and Family Welfare (AA2) Department dated 09.09.2014, is clear that to fix the ration of 1:2 between B.Sc. (Nursing) degree candidates who studied in Government Nursing Colleges and Government approved Private Nursing Colleges under direct recruitment and service candidates (Staff Nurses with B.Sc.(Nursing) qualification under appointment by recruitment by transfer by conducting examinations by Medical Recruitment Board after following the communal rotation. However the respondents failed to follow any ratio while preparing the panel for the post of Nursing Tutor Grade-II.

6. This Court is of the view that the interpretation of GO.Ms.No.272, Health and Family Welfare (AA2) Department dated

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09.09.2014 is now disputed. But this Court, while allowing the writ petition, set aside the notification issued by the fourth respondent thereby calling upon panel particulars for the post of Nursing Tutor Grade-II in which mentioned the eligible candidates who were appointed to regular service during the years 2005 to 2010 only. Now the respondents have considered all the candidates from the year 2005 onwards and prepared the panel for the post of Nursing Tutor Grade-II and published the same. Therefore, the respondents duly complied with the order passed by this Court. However, if at all the interpretation of GO.Ms.No.272, Health and Family Welfare (AA2) Department dated 09.09.2014 is disputed, the petitioner is at liberty to work out his remedy separately. As such, this contempt petition is liable to be closed.

7. In view of the above discussion, this contempt petition is closed.

06.08.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Health and Family Welfare Department,
Chennai-600 009.
- 2.The Director of Medial and Rural Health Services,
Medical Department, DMS Campus,
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- 4.The Joint Director of Medical Education and Research,
Directorate of Medical Education and Research,
Kilpauk, Chennai-600 010.
- 5.The Public Prosecutor,
High Court of Madras

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