

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-07-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11820 of 2026

AND

WMP Nos. 12900 and 18665 of 2026

R.Alagumeena
D/o.P.Raju,
136C, Arumugam North Street,
Kamarajapuram North,
Tirumangalam, Madurai.

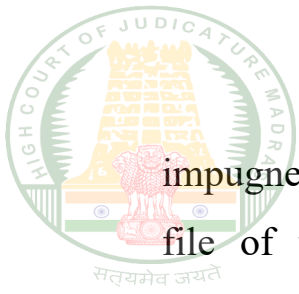
..Petitioner(s)

Vs

1. The Principal Secretary to the Government
Health and family Welfare Department,
State of Tamil Nadu, Fort St.George,
Secretariat, Chennai- 600 009.
2. The Director
Directorate of Medical Education and
Research,
162, Periyar E.V.R.High Road, Kilpauk,
Chennai-010.
3. The Director
Directorate of Medical and Rural Health
Services,
359, Anna Salai, Chokkalingam Nagar,
Teynampet, Chennai, Tamil Nadu- 06.

..Respondent(s)

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India praying to issue a writ of certiorari to call for the records of the



impugned order dated 27.02.2026 in Proc. Ref.No.91852/ N2/ 2025 on the file of the 2nd respondent and quash the same as illegal, arbitrary, inoperative in law and consequently, direct the 2nd respondent to appoint the petitioner to the post of Nursing Tutor Grade- II.

For Petitioner(s): Mr.R.Ravindraram

For Respondent(s): Mr.V.Sivalingam
Government Advocate

Order

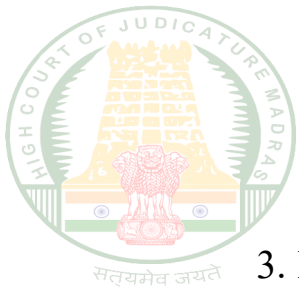
This writ petition has been filed seeking to call for the records relating to the impugned order dated 27.02.2026 in Proc. Ref.No.91852/ N2/ 2025 on the file of the 2nd respondent and quash the same and consequently to direct the 2nd respondent to appoint the petitioner to the post of Nursing Tutor Grade- II.

2. The petitioner would submit that she is working as a Staff Nurse at the Government Hospital, Thirumangalam, Madurai District, under the Health and Family Welfare Department, Government of Tamil Nadu. With a view to improving her professional qualification and career prospects, she intended to pursue the Post Basic B.Sc. Nursing course through the correspondence mode offered by the Indira Gandhi National Open University. The petitioner submitted representations on 24.09.2019 and



07.01.2020 seeking permission to appear for the entrance examination and to pursue the course. She cleared the entrance examination and thereafter

submitted a representation dated 08.01.2021 seeking a No Objection Certificate (NOC). The said representation was forwarded by the Chief Medical Officer to the Joint Director of Health Services, Madurai, who, in turn, forwarded it to the 3rd respondent on 31.03.2021. Leave was granted to her for the period from 25.02.2022 to 16.03.2022 and from 12.12.2022 to 05.01.2023. She successfully completed the course and was issued a Provisional Certificate on 21.12.2023 and the Degree Certificate on 22.01.2024. A Course Completion Certificate was also issued on 22.07.2024 and the Tamil Nadu Nurses and Midwives Council issued a Certificate of Registration for Additional Qualification on 29.07.2024. Thereafter, the Joint Director, Madurai (Usilampatti), issued an NOC in favour of the petitioner on 28.01.2026. The petitioner submitted a representation dated 29.01.2026 stating that her name had not been included in the counselling list for promotion to the post of Nursing Tutor Grade-II. Though the 2nd respondent issued a temporary list of fully qualified candidates for promotion for the year 2025–2026, the petitioner's name was not included in the counselling list despite her possessing the requisite qualification. Hence, the present writ petition.



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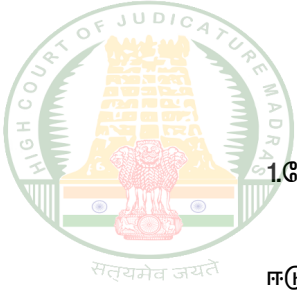
3. Heard the learned counsel on both sides and perused the materials available on record.

4. The grievance of the petitioner is that despite being granted permission to pursue her higher studies, her name has not been included in the counselling list for the post of Nursing Tutor Grade II.

5. The impugned proceedings dated 27.02.2026 contain two Annexures. Annexure-I contains the list of additional tentative seniority list of eligible staff nurses to be considered for inclusion in the panel for the post of Nursing Tutor Grade II for the year 2025-2026 and Annexure-II contains the list of Staff Nurses who are not eligible for inclusion in the panel for the post of Nursing Tutor Grade II for the year 2025-2026. The petitioner is shown at Serial No.11 and in the remarks column, it has been stated as “IGNOU without permission”.

6. A perusal of the records would indicate that, by her letter dated 08.01.2021, the petitioner had made the following request:





1.மேற்கண்ட விடுப்புக் காலத்தில் (அகவிலைப்படி) / உணவுப்படி — பிற

ஈடு செய்யும் படிகள் வழக்கமாகப் பெற தகுதியுடையவர்.

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2.விடுப்பில் செல்லாமல் இருந்திருந்தால் அதே பணியில் தொடர்ந்து

பணியாற்றுவார் (அடிப்படை விதிகள்:26 பிபி) எனச் சான்றளிக்கப்படுகிறது.

3.விடுப்பிலிருந்து திரும்பியதும் அதே அலுவலகத்தில் அதே பணியில்

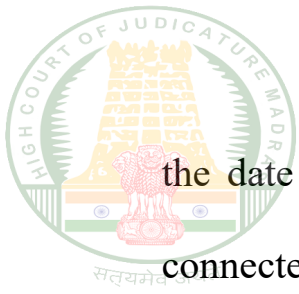
மீண்டும் 17.03.2022 மு.ப. பணியில் இணைய அறிவுறுத்தப்படுகிறார்.

இது குறித்து உரிய பதிவுகள் பணிப்பதிவேட்டில் பதிய

அறிவுறுத்தப்பட்டுள்ளது என சான்றளிக்கப்படுகிறது."

This clearly shows that the petitioner has been granted a No Objection Certificate for pursuing her higher studies at the Indira Gandhi National Open University.

8. Such being the case, the non inclusion of the petitioner in the seniority list cannot be countenanced and is liable to be quashed. Accordingly, the impugned order is quashed and the writ petition is allowed. The 2nd respondent is directed to include the petitioner in the seniority list and consequently appoint her to the post of Nursing Tutor Grade II, if she is otherwise eligible, within a period of four weeks from



the date of receipt of a copy of this order. No costs. Consequently,
connected miscellaneous petitions are closed.

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20-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SRN

To

1. The Principal Secretary to the Government
Health and Family Welfare Department,
State of Tamil Nadu, Fort St.George,
Secretariat, Chennai- 600 009.
2. The Director
Directorate of Medical Education and Research,
162, Periyar E.V.R.High Road, Kilpauk,
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WP No. 11820 of 2



P.T.ASHA J.

SRN

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