

**Before the Madurai Bench of Madras High Court**

Dated : 11.02.2019

Coram:

The Hon'ble Mr.Justice **M.S.RAMESH****Review Application (MD) No.11 of 2017**
in W.P.(MD) No.10871 of 2013

Ganeshamoorthi Rajathi .. Petitioner/Petitioner

Vs.

1.The Secretary,
Indian Nursing Council,
Combined Councils Building,
Kotla Road, Temple Lane,
New Delhi-110 002.

2.The Tamil Nadu Dr.M.G.R. University,
rep. by its Registrar,
No.69, Anna Salai, Guindy,
Chennai-600 032.

3.The Principal,
Matha College of Nursing,
Manamadurai,
Sivagangai District.

.. Respondents/Respondents

Prayer: Review Application filed under Section 114 r/w. Order 47 Rule 1 & 2 of the Code of Civil Procedure, to review the order dated 19.12.2016 passed in W.P.(MD) No.10871 of 2013 by the learned Judge of this Court.

Prayer in WP(MD). 10871/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Declaration declaring that the Regulation No. 26 issued by the Respondent No. 1 Vide File No. 1-5(GB)Cir/2011 dated 03/01/2012 which read as, The number of attempts for examination has been waived off. However to appear for final year examination, the candidate shall have cleared all the previous examination will operate retrospectively for the students to be admitted after the date of Resolution by the Respondent No. 1.ie. 03/01/2012.

For Petitioner : Mr.G.Radha Krishnan

**ORDER**

This matter has been taken up for hearing today through "Video Conferencing".

2. The Review Applicant/Petitioner has preferred the instant Review Application as against the order passed by this Court in W.P. (MD) No.10871 of 2013 dated 19.12.2016.

3. Heard the learned counsel for the review applicant/petitioner.

4. It is represented by the learned counsel for the Review Applicant/Petitioner that he did not appear before this Court on 19.12.2016 and has also not made an endorsement that the writ petition has become infructuous.

5. I do not intend to probe into the matter as to the presence of the petitioner's counsel or the endorsement so made. Since the petitioner's counsel represents that he has arguable points in the Writ Petition, the order dated 19.12.2016 is hereby recalled.

6. In the result, the Review application stands allowed. However, there shall be no orders as to costs.

7. Registry is directed to post the writ petition before the regular Court on 18.02.2019.

Sd/-

Assistant Registrar (CO)

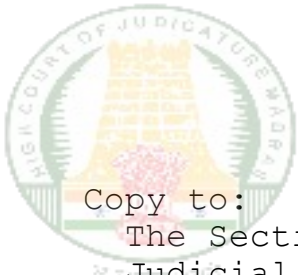
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Sub Assistant Registrar (CS IV)

To

1. The Secretary,
Indian Nursing Council,
Combined Councils Building,
Kotla Road, Temple Lane,
New Delhi-110 002.

2. The Registrar,
Tamil Nadu Dr.M.G.R. University,
No.69, Anna Salai, Guindy,
Chennai-600 032.



Copy to:
The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.G.RadhaKrishnan, Advocate, SR.No.46105

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KK/RSK/SAR-4 (14.02.2019) 3P 5C