



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 18.08.2017

CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

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W.P (MD) No. 13350 of 2017

and

W.M.P (MD) Nos. 10402 and 10403 of 2017

B. Sakthikumar

..Petitioner

Vs

1. The State of Tamil Nadu,
represented by its Secretary,
for Health and Family Welfare,
Chennai - 600 009.

2. The Tamil Nadu Nurses and Midwives Council,
represented by its President,
Old No. 140, New No. 56, Santhome High Road,
Mylapore,
Chennai - 600 004.

3. The Registrar,
Tamil Nadu Nurses and Midwives Council,
Old No. 140, New No. 56, Santhome High Road,
Mylapore,
Chennai - 600 004.

4. Dr. S. Ani Grace Kalaimathi,
The Deputy Registrar,
The Tamil Nadu Nurses and Midwives Council,
Old No. 140, New No. 56, Santhome High Road,
Mylapore,
Chennai - 600 004.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records of the fourth respondent published in the Government Gazette No. 26, No. VI (1) 190/2017 with Ref. No. 432/NC/2017, dated 28.6.2017 and to quash the same.

For Petitioner

: M/s. K. P. S. Palanivel

For Respondent-1

: Mr. C. Selvaraj
Spl. Govt. Pleader



For Respondent-3 :Mr.B.Saravanan

For Respondents :No appearance
2 and 4

ORDER

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This Writ Petition has been filed seeking for issuance of a Writ of Certiorari calling for the records of the fourth respondent published in the Government Gazette No.26, No.VI(1) 190/2017 with Ref.No.432/NC/2017, dated 28.6.2017 and to quash the same.

2.Heard Mr.K.P.S.Palanivel, learned counsel for the Petitioner and Mr.C.Selvaraj, learned Special Government Pleader appearing for the first respondent and Mr.B.Saravanan, learned counsel appearing for the third respondent and perused the materials placed before this Court.

3.The election notification issued by the third respondent is challenged in this Writ Petition, for want of competency. It is now represented by the learned counsel for the Petitioner and the learned counsel for the third respondent that as per the notification, election was already conducted and if the Petitioner is having any grievance, he has to approach the Tamil Nadu Nurses and Mid-wives Council, as per Section 30(1) of the Madras Midwives and Nurses Act, 1926(hereinafter called as the 'Act').

4.The learned counsel for the petitioner submitted that the result of election will be handed-over to the first respondent, as per Section 28(1) of the 'Act' and the petitioner has already raised objection before the Council.

5.In view of the above submission, this court directs the council to consider the objection of the Petitioner and dispose of the same, before publishing the result, in accordance with law. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6.With the above observations, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar



To

1. The Secretary,
Government of Tamil Nadu,
for Health and Family Welfare,
Chennai - 600 009.

2. The President,
Tamil Nadu Nurses and Midwives Council,
Old No.140, New No.56, Santhome High Road,
Mylapore,
Chennai - 600 004.

3. The Registrar,
Tamil Nadu Nurses and Midwives Council,
Old No.140, New No.56, Santhome High Road,
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Chennai - 600 004.

4. Dr. S. Ani Grace Kalaimathi,
The Deputy Registrar,
The Tamil Nadu Nurses and Midwives Council,
Old No.140, New No.56, Santhome High Road,
Mylapore,
Chennai - 600 004.

+1cc to Mr. K. P. S. Palanivel, Advocate, SR.73044
+1cc to Mr. B. Saravanan, Advocate, SR.73547
+1cc to M/S. Special Government Pleader, SR.73463

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