



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2019

CORAM

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

W.P.(MD).No.19299 of 2019

and

W.M.P.(MD).No.15723 of 2019

Vethika Mohan

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District Collectorate,
Nagercoil.
- 2.The Sub Collector,
Padmanabapuram,
Kanyakumari District.
- 3.The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
- 4.The Tashildar,
Vilavancode Taluk,
Kanyakumari District.
- 5.The Vice Chancellor,
Tamil Nadu Dr.M.G.R. Medical University,
Anna Salai,
Chennai.
- 6.The Principal,
White Memorial College of Nursing,
Attoor,
Kanyakumari District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the respondents 5 and 6 to permit the petitioner to pursue the nursing course in the 6th respondent College and write the examination in nursing without insisting for production of the Community Certificate.



For Petitioner : Ms.J.Anandhavalli
For R1 to R4 : Mr.M.Murugan
Government Advocate
For R6 : Mr.Ragatheesh Kumar for
M/s.Isaac Chamber

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O R D E R

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

Heard Ms.J.Anandhavalli, learned counsel appearing for the petitioner, Mr.M.Murugan, learned Government Advocate appearing for the respondents 1 to 4 and Mr.Ragatheesh Kumar, learned counsel appearing for the sixth respondent.

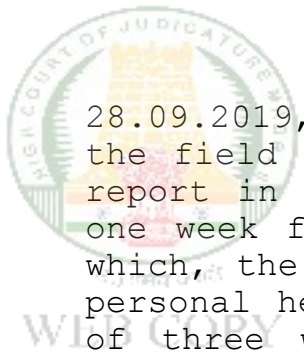
2. This writ petition has been filed to direct the respondents 5 and 6 to permit the petitioner to pursue the nursing course in the sixth respondent College without insisting for production of the Community Certificate.

3. When the writ petition was listed for admission, a prayer was made to permit the petitioner to sit for the examination commencing from 05.09.2019. Such a prayer was not granted and the matter was adjourned to await the orders to be passed by the District Collector in the appeal petition filed by the petitioner against the order rejecting her claim for Community Certificate.

4. The learned counsel appearing for the petitioner submitted that though the petitioner sought for a different prayer, this Court may direct the District Collector to complete the proceedings at the earliest and the Committee may be directed to pass orders within a time frame.

5. The learned Government Advocate has received written instruction from the Tahsildar, Vilavancode Taluk, dated 28.09.2019, from which it is seen that the District Level Committee is unable to pass orders as they are awaiting report from the Sub Collector, Padmanabapuram and the Sub Collector, Padmanabapuram is unable to submit the report, because of the absence of witnesses in the enquiry.

6. The learned Government Advocate submitted that he has already directed the Tahsildar to inform the concerned authority to submit the report within two weeks. The learned counsel for the petitioner submitted that the entire enquiry is over and there is no more witnesses to be examined and statements to be recorded. Therefore, the learned counsel prays that the District Level Committee should be directed to pass orders in the matter within a time frame. However, considering the fact that the Tahsildar has sent a communication to the learned Government Advocate on



28.09.2019, we direct the Sub Collector, Padmanabapuram to complete the field enquiry, if not already completed and submit the enquiry report in full form, if not already submitted, within a period of one week from the date of receipt of a copy of this order, after which, the District Level Committee shall afford an opportunity of personal hearing to the petitioner and pass orders within a period of three weeks from the date on which the personal hearing is completed.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

- 1.The District Collector,
Kanyakumari District Collectorate,
Nagercoil.
- 2.The Sub Collector,
Padmanabapuram,
Kanyakumari District.
- 3.The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
- 4.The Tashildar,
Vilavancode Taluk,
Kanyakumari District.
5. The Vice Chancellore,
Tamil Nadu Dr.M.G.R.Medical University,
Anna Salai, chennai.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-90970[F] dated 03/10/2019
+1 CC to M/s.ANANDHAVALLI, Advocate (SR-90924[F] dated 03/10/2019
+1 CC to M/s.GP (SR-91177[F] dated 03/10/2019

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