



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

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THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 13601 and 1852 of 2021  
and

W.M.P.No.14478 & 14479 of 2021  
and 2087 and 2088 of 2021

1.R.Ezhilarasi  
2.S.Gayathri  
3.Mohana Devi  
4.Prasannakumari  
5.Praveen Kumar  
6.Suganthi  
7.Vaideeswari

..Petitioners in W.P.No. 13601 of 2021

1.S.Anitha,  
2.Y.Devayani,  
3.M.Gejalakshmi  
4.G.Jeevitha,  
5.S.Pathima  
6.S.Pavithra  
7.D.Saraswathi  
8.N.Sharoze Ahmed  
9.K.Vanitha  
10.S.Vasanthi

..Petitioners in W.P.No. 1852 of 2021

Vs

1. The Tamil Nadu Nurses and Midwives Council,  
The Registrar,  
Old No.140, New No.56,  
Santhome High Road,  
Mylapore, Chennai-600004.
2. Indian Nursing Council,  
Combined Councils Building,  
Kotla Road,  
Temple Lane,  
New Delhi-110002.
3. Meenakshi College of Nursing,  
Rep. by its Principal,  
Chikkarayapuram, Mangadu,  
Chennai-600068.



4. Meenakshi Academy of Higher Education And Research,  
Rep. by its Registrar,  
No.12, Vembuli Amman Kovil Street,  
West K.K.Nagar, Chennai-600078.

..Respondents in both WPs

Common Prayer: Writ Petitions are filed under Article 226 of Constitution of India for writ of Mandamus, directing the 1st respondent to register the Petitioners as Nurse B.Sc. Nursing Course for the academic year 2016-17 batch in Meenakshi College of Nursing, Chikkarayapuram, Mangadu, Chennai-68.

For Petitioners : Mr.G.Masilamani (SC) for  
(in both WPs) M.Vishnu Venkatesh

For Respondent No.1 : Mr.A.R.Nixon  
Respondent No.2 : Mr.Deepak Narayan  
Respondent No.3 & 4 : Mr.Mei Kandan  
(in both WPs)

#### COMMON ORDER

Prayer sought for in these writ petitions is to direct the 1st respondent to register the Petitioners as Nurse B.Sc. Nursing Course for the academic year 2016-17 batch in Meenakshi College of Nursing, Chikkarayapuram, Mangadu, Chennai-68.

2. Heard the learned counsel appearing for the petitioners and the learned counsels appearing for the respondents and perused the records.

3. The case of the writ petitioners is that the writ petitioners in W.P.No.1852 of 2021 and W.P.No. 13601 of 2021 had completed their High School Studies and joined Bsc Nursing Course in the 3<sup>rd</sup> respondent College, for the academic year 2016-17. After completion of of their Nursing Course, the petitioners approached the 1<sup>st</sup> respondent-Council for enrollment and registration themselves as Nurse with all relevant documents, but the 1<sup>st</sup> respondent refused to register the petitioners as Nurse, stating that the petitioners are not eligible for registration with the 1<sup>st</sup> respondent -Council as the 3<sup>rd</sup> respondent college is not a recognition institution. Therefore, they filed these writ petitions seeking directions to the 1<sup>st</sup> respondent to recognise their qualification viz, BSc Nursing and register them as Nurse.

4. The learned counsel appearing for the 2<sup>nd</sup> respondent filed counter affidavit stating that subject to the approval of the 1<sup>st</sup> respondent -Council, the petitioners may register with



the State Council. The relevant portion in paragraph 5 is stated as follows;

"5. it is submitted that no such action/withdrawal of recognition under Section 14 of the Indian Nursing Council Act has been made in respect to the 3<sup>rd</sup> respondent herein so far. Accordingly, it is submitted that subject to the approval/consent of the 1<sup>st</sup> respondent herein, the petitioners may register with the State Council in the manner known to law. However the 2<sup>nd</sup> respondent herein reserves its right to take appropriate action, if any against the 3<sup>rd</sup> respondent or other institutions as per Section 14 of the Act."

5. The learned counsel appearing for the 1<sup>st</sup> respondent has also taken the same stand that they have no objection to register the petitioners as Nurse and to issue licence for practice. Both the learned counsels appearing for the respondents 1 & 2 seek liberty to take appropriate action against the 3<sup>rd</sup> respondent in accordance with provisions of the Act.

6. In view of the stand taken by the respondents 1&2, it would be appropriate to give directions to the 1<sup>st</sup> respondent-Council to register the Bsc Nursing for the students admitted in the academic year 2016-17 in the 3<sup>rd</sup> respondent college and grant licence to practice the petitioners as Nurse. Accordingly, the following directions are issued;

- i. Writ Petitioners shall make representation along with relevant documents to the 1<sup>st</sup> respondent within a period of two weeks from the date of receipt of a copy of this Order.
- ii. On receipt of such representation, the 2<sup>nd</sup> respondent shall consider the same, if it is in order and register the petitioners as Nurse and issue licence for practice, within a period of two weeks thereafter.
- iii. Liberty is granted to the respondents 1 & 2 to take appropriate actions against the 3<sup>rd</sup> respondent/College in accordance with the provisions of Section 14 of the Indian Nursing Council Act
- iv. With the above directions, these writ petition are stand disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

s/d-

Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

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To

1. The Registrar,  
Tamil Nadu Nurses and Midwives Council,  
Old No.140, New No.56,  
Santhome High Road,  
Mylapore, Chennai-600004.

2. Indian Nursing Council,  
Combined Councils Building,  
Kotla Road, Temple Lane,  
New Delhi-110002.

+2cc to Mr.A.R.Nixon, Advocate, Sr.No.35820, 35823

+2cc to Mr.M.Vishnu Venkatesh, Advocate, Sr.No.36109

W.P.No. 13601 and 1852 of 2021  
and

W.M.P.No.14478 & 14479 of 2021  
and 2087 and 2088 of 2021

NRJK (CO)  
KKV/30/07/2021