



4.The Nurses Midwives Council of Tamil Nadu,
Represented by its Registrar,
Chennai.

5.Indira Gandhi National Open University,
Represented by its Registrar,
New Delhi.

... Respondents

Prayer :- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the fourth respondent to register the higher qualification of Post basics B.Sc. (Nursing) awarded by the fifth respondent University in the Tamil Nadu State Register of Nurses maintained by the fourth respondent or in the alternative to direct the first respondent to include the said qualification in Part-II of the schedule to the Indian Nursing Council Act, 1947.

For Petitioner : Mr.Sai Krishnan

For Respondents : Mr.J.C.Durai Raj
Additional Government Pleader
for R-2

Mr.M.T.Arunan for R3

Mr.A.R.Nixon for R4
Mr.S.saravanan for R5

ORDER

The prayer in the Writ Petition is to issue a Writ of Mandamus directing the fourth respondent to register the higher qualification of Post basics B.Sc. (Nursing) awarded by the fifth respondent University in the Tamil Nadu State Register of Nurses maintained by the fourth respondent or in the alternative to direct the first respondent to include the said qualification in Part-II of the schedule to the Indian Nursing Council Act, 1947.

2. The learned counsel for the petitioners Mr.Sai Bharath would state that though the petitioners are entitled to register their higher qualification, despite the representation of the petitioners, no action was taken by the fourth respondent. He further added that it would suffice to direct the fourth respondent to pass orders on the representation of the petitioners.



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3. The learned counsel appearing for the fourth respondent Mr.A.R.Nixon would state that the course undertaken by the petitioners was not approved by the Government of Tamil Nadu, any how, they are ready to consider and pass orders on the representation of the petitioners.

4. Taking note of the fact that this Writ Petition was filed based on the legal notice issued by the petitioners, dated 05.05.2018 and the submissions of the learned counsels, the petitioners are hereby directed to give a fresh representation to the fourth respondent within a period of four weeks enclosing a copy of this order. On such compliance, the fourth respondent shall consider the same and pass orders in accordance with law, after affording reasonable opportunity to the petitioners within a period of twelve weeks therefrom.

5. With the above directions, the Writ Petition is disposed of. There is no order as to costs.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
Union of India,
Ministry of Health and Family Welfare,
New Delhi.
- 2.The Secretary to Government,
Government of Tamil Nadu,
Health Department, Chennai.
- 3.The Registrar,
Nursing Council of India,
New Delhi.
- 4.The Registrar,
The Nurses Midwives Council of Tamil Nadu,
Chennai.



5.The Registrar,
Indira Gandhi National Open University,
New Delhi.

+1cc to Mr.S.Saravanan, Advocate SR.No.18682
+1cc to Mr.A.R.Nixon, Advocate SR.No.18971
+1cc to Mr.T.Sai Krishnan, Advocate SR.No.18922
+1cc to Mr.M.T.Arunan, Advocate SR.No.18842
+1cc to the Government Pleader, SR.No.18830

W.P.No.17978 of 2010

RSI (CO)
CB(28/03/2022)