



W.P(MD)No.14388 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **29.11.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.14388 of 2016

S.Therasa

... Petitioner

Vs.

- 1.The Indian Nursing Council,
Represented by its Secretary,
Combined Councils Building,
Kotla Road,
Temple Lane,
Opposite to Mata Sundri College,
Near ITO, New Delhi.
- 2.The Secretary to Government,
Health and Family Department,
Secretariat,
Chennai.
- 3.The Director of Medical Education,
162, EVR Priyar Salai, Kilpauk,
Chennai.
- 4.The Tamil Nadu Dr.M.G.R. Medical University,
Represented by Dean,
No.69, Anna Salai,
Guindy,
Chennai-32.



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5. Thasiah College of Nursing,
Represented by its Chairman,
Marthandam,
Vellivilagam,
Kanyakumari District.

6. The Principal,
Thasiah College of Nursing,
Vellivilagam,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action against the fifth respondent College for illegal collection of excess fees over and above the amount specified by the Government and consequently direct the respondents to providing adequate amenities to the students at the college as well as in the hostel by considering the representation of the petitioner, dated 21.04.2016.

For Petitioner : M/s.S.C.Herold Singh

For R-1 : M/s.D.Saravanan

For R-2, R-3 & R-6 : No appearance

For R-4 : M/s.C.Karthik

For R-5 : M/s.P.Muthuvel



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ORDER

The present Writ Petition has been filed for a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate action as against the fifth respondent for illegal collection of excess fees over and above the amount specified by the Government and direct the respondents to provide adequate amenities to the student at the College as well as in the Hospital, considering the representation of the petitioner.

2. On instructions, the learned Counsel appearing for the fifth respondent submits that the petitioner's daughter had made this complaint in the first year and she continued to study in the same College. Further, she had completed the course and passed away. All the certificates have also been handed over to the concerned students. If really there is any allegation relating to excess of fees in the first year, the students would have faced the difficult situation in the subsequent years also. However, this Court does not find any allegation relating to the second year till fourth year.



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3. In view of the above said facts, I do not find this Court can interfere at this length of time. The learned Counsel for the fifth respondent submits that under the instructions of the third respondent, the Dean of the Government Medical College, Nagercoil has conducted an enquiry, the result of which is not known to both the parties. However, if the petitioner gets a copy of the enquiry report, she is at liberty to initiate independent proceedings. Hence, the writ petition stands closed. There shall be no order as to costs.

29.11.2022

Index : Yes / No
Internet : Yes / No
btr

To

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- 2.The Secretary to Government,
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- 3.The Director of Medical Education,
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- 4.The Dean,
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- 5.The Chairman,
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- 6.The Principal,
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R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.14388 of 2016

29.11.2022