



WEB COPY

WP No.18204 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-03-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.18204 of 2016

And

WPMP No.15950 of 2016

1. Annai Vocational Institute,
Represented by its Correspondent,
V.A.Kannan, 40 years,
Son of Adhimoolam,
No.11, Panruti Road,
Vadalur,
Cuddalore District.
2. Reseas Institute of Para Medical Science,
Represented by its Correspondent,
G.Anbarasan, 68 years,
Son of Gnanaprakasam,
Annai Sathya Veedhi,
Neyveli Main Road,
Vadalur, Kurinjipadi Taluk,
Cuddalore District,
Pin-607 303.
3. Krishna Para Medical College,
Represented by its Correspondent,
Rathina Raja, 44 years,
Son of C.Rathina Samy,
No.14, M.K.Thottam,



Sirkazhi Main Road,
Chidambaram,
Cuddalore District.

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4.Shakthi Vinayaga Group of Educational
Institution,
Represented by its Correspondent,
Kalai Arasan, 32 years,
Son of Pakkirisamy,
13/5, Kamaraj Nagar,
Panruti,
Cuddalore District,
Pin-607 106.

5.Shakthi Vinayaga Group of Educational
Institution,
Represented by its Correspondent,
Kalai Arasan, 32 years,
Son of Pakkirisamy,
Sivapuram Towers,
No.182, Thiruvudai Marudhur Road,
Kumbakonam,
Tanjore District,
Pin-612 001.

6.R.S.Para Medical Institute,
Represented by its Correspondent,
M.R.Rajendran, 46 years,
Son of Rangasamy,
Alagappa Nagar, III Cross,
Ariyalur,
Ariyalur District.

7.Megna Institute of Vocational and Science
Technolgoy,
Represented by its Correspondent,
Selvaraju, 43 years,



Son of Veeramalai,
No.15-C, 1st Floor, Main Road,
Petavaithalai,
Sri Rangam Taluk,
Trichirapalli District,
Pin-639 112.

8.M.D.S.Para Medical Science,
Represented by its Correspondent,
Muruganandham, 42 years,
Son of Periyasamy,
60A, Chettiyar Street,
Udayar Palayam,
Ariyalur District,
Pin-621 804.

9.M.K.Para Medical Institute,
Represented by its Correspondent,
Panneer Selvam, 31 years,
Son of Nagarajan,
No.2/388, Periyar Nagar,
Sendurai,
Ariyalur District.

10.Kumar Educational Institute,
Represented by its Correspondent,
Kolanji, 34 years,
Son of Sabapathy,
No.69, Thirupathi Nagar,
Pannadam Main Road,
Karuvepilay Kuruchi,
Virudhachalam,
Cuddalore District,
Pin-606 110.



11.K.S.Para Medical College,
Represented by its Correspondent,
B.G.Saravanan, 35 years,
Son of Gopalakrishnan,
No.1/36, Peralaiyur Road,
KaruvepilayKuruchi,
Virudhachalam,
Cuddalore District.

12.Kumar Educational Institute,
Represented by its Correspondent,
Kanitha Vinayagam, 39 years,
Son of Kaliaperumalm
No.42, Double Street,
Kattu Mannar Koil,
Cuddalore District,
Pin-608 301.

13.K.S.Para Medical College,
Represented by its Correspondent,
B.G.Saravanan, 35 years,
Son of Gopalakrishnan,
No.57A, T-Palur Road,
Opposite to Taluk Office,
Jayankondam,
Ariyalur District.

14.Satya Institute of Para Medical Science,
Represented by its Correspondent,
Ravichandran, 28 years,
Son of Rajavelu,
Main Road,
Erumbur,
Chidambaram Taluk,
Cuddalore District,
Pin-608 704.



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15. Sri Dhanvanthari Para Medical Institute,
Represented by its Director,
Dr.D.Rangarajan, 64 years,
Son of Duraiappa Naiynar,
No.561, Cuddalore Main Road,
Opposite to Police Station,
Kullan Chavadi,
Cuddalore District.

... Petitioners

Vs.

1. The Secretary,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
2. The Director of Medical Education,
Poonamallee High Road,
Kilpauk,
Chennai-600 010.
3. The District Collector,
Cuddalore District,
Collectorate,
Cuddalore,
Cuddalore District.
4. The Joint Director of Health Services,
Cuddalore Government Head Quarters Hospital,
Cuddalore.



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5.The Superintendent of Police,
Cuddalore District,
Cuddalore.

6.The District Collector,
Ariyalur,
Collectorate,
Ariyalur,
Ariyalur District.

7.The Joint Director of Health Services,
Ariyalur Government Head Quarters Hospital,
Ariyalur.

8.The Superintendent of Police,
Ariyalur District,
Ariyalur.

9.The District Collector,
Trichirapalli,
Collectorate,
Trichirapalli,
Trichirapalli District.

10.The Joint Director of Health Services,
Trichirapalli Government Head Quarters Hospital,
Trichirapalli.

11.The Superintendent of Police,
Trichirapalli District,
Trichirapalli.

12.The District Collector,
Tanjore,
Collectorate,
Tanjore,
Tanjore District.



13. The Joint Director of Health Services,
Tanjore Government Head Quarters Hospital,
Tanjore.

14. The Superintendent of Police,
Tanjore District,
Tanjore.

15. The Regional Director,
Bharath Sevak Samaj BSS Programme Office,
No.148, Bharathi Nagar,
1st Main Road,
Tambaram West,
Chennai-600 063.

16. The General Secretary,
Bharath Sevak Samaj Central Programme Office,
Satbhavana Bhavan, Kowdiar Post,
Thiruvananthapuram, Kerala State,
Pin Code – 695 003.

17. The Regional Director,
Bharath Sevak Samaj Regional Office,
Old No.690, New No.555, 1st Floor,
Poonamallee High Road,
Aminjikarai,
Chennai – 600 029.

18. The General Secretary,
Bharath Sevak Samaj,
No.28/571, Janaki Mandiram,
PKK Road,
Kaithamukku, Peta (Post),
Pin Code – 695 024.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to receive explanations and defence in person from the petitioners Institutions and conduct personal, fresh and proper enquiry before issuing any adverse order/circular/letter to the respondents 3 to 14 to take actions against the petitioners Institutions on the basis of the order passed by this Court in WP No.16556 of 2016 dated 13.04.2015 and direct the respondents 1 and 2 from passing any adverse orders without hearing the petitioners Institutions.

For Petitioners : No Appearance

For Respondents-1 to 14 : Mr.T.Arunkumar,
Additional Government Pleader.

For Respondents-15 and 18: No Appearance

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to receive explanations and defence in person from the petitioners Institutions and conduct personal, fresh and proper enquiry before issuing any adverse order/circular/letter to the respondents 3 to 14 to take actions against the petitioners Institutions on the basis of the order



passed by this Court in WP No.16556 of 2016 dated 13.04.2015 and direct the respondents 1 and 2 from passing any adverse orders without hearing the petitioners Institutions.

2. The nature of relief sought for in the present writ petition cannot be considered in view of the fact that it is merely based on certain apprehensions and assumptions. Unless an order is passed by the Competent authority affecting the rights of a person, no writ can be entertained.

3. In the present case, the writ petitioners Institutions seek the relief to receive explanations and conduct a fresh enquiry before issuing any adverse order.

4. The present writ petition was filed in the year 2016 and 6-1/2 years have elapsed. On account of efflux of time, the relief sought for in the present writ petition has lost its relevance. If at all any grievance exists for the petitioners Institutions, they are at liberty to approach the Competent Authority in the manner known to law.



5. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

31-03-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To

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Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
2. The Director of Medical Education,
Poonamallee High Road,
Kilpauk,
Chennai-600 010.
3. The District Collector,
Cuddalore District,
Collectorate,
Cuddalore,
Cuddalore District.
4. The Joint Director of Health Services,
Cuddalore Government Head Quarters Hospital,
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5.The Superintendent of Police,
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S.M.SUBRAMANIAM, J.

Svn

13. The Joint Director of Health Services,
Tanjore Government Head Quarters Hospital,
Tanjore.

14. The Superintendent of Police,
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Tanjore.

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