



WEB COPY

WP No.18205 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31-03-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.18205 of 2016

And

WPMP No.15952 of 2016

1.R.K.Institute,
Represented by its Chairman,
Mr.D.Kamaraj, 56 years,
S/o.Duraikannu,
O.P.R.Flat, Cangai Maruthuvamanai Veethi,
V.P.S.Sandhu,
Vadalur, Kurinjipadi Taluk,
Cuddalore District.

2.Mercilin Institute,
Represented by its Correspondent,
D.Jayakanthi Elangovan, 46 years,
Wife of V.Elangovan,
Varadharajan Lay Out,
Poonthottam,
Villupuram – 605 602.

3.SUN Institute of Allied Health,
Represented by its Correspondent,
Mr.A.Senthil Kumar, 38 years,
Son of Arumugam,
No.62/35, Manthoppu Street,
Villupuram, Pin-605 602.



- 4.SAP Institute of Allied Health,
Represented by its Correspondent,
Ashokan, 35 years,
Son of Kannan,
No.50, Pallivasal Street,
Thirukovilur, Villupuram District,
Pin-605757.
- 5.Dhanam Institute of Allied Health,
Represented by its Correspondent,
Rajiv Gandhi, 28 years,
Son of Chinnayan,
No.252/2, Nadhu Theru, Arasur,
Ulundurpet, Villupuram District,
Pin-607 107.
- 6.Annai Nightingale Ammaiyar Institute,
Represented by its Correspondent,
R.Manimaran, 40 years,
Son of Ramamurthy,
No.21-B, Velur Cooperative Bank (Old),
Thirukovilur Road,
Vettavalam,
Thiruvannamalai District.
- 7.T.R.E.E Institute of Allied Health,
Represented by its Correspondent,
B.Surendran, 33 years,
Son of K.Balraju,
No.91, Nehru Street,
NGGO Nagar, Thirukovilur,
Villupuram District, Pin-605 757.
- 8.Sri Ramachandra Health Educational Institution,
Represented by its Correspondent,
R.Murugan, 46 years,
Son of Ramasamy,



Madapet Post, Ulundurpet,
Villupuram District,
Pin-607 027.

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9. Millennium Institute of Technology,
Represented by its Correspondent,
R.Rajkumar, 28 years,
Son of Rajendran,
No.15, Raja Desingu Street,
Periya Agaram, Gingee,
Thiruvannamalai District,
Pin-604 202.
10. Mother Theresa Allied Health Institute,
Represented by its Correspondent,
S.Prem Anandha Raj, 35 years,
Son of Sundararaj,
No.8 A4, 8 A5, Salem Main Road,
E.B.Office Upstairs, Ulundhurpet,
Villupuram District,
Pin-606 107.
11. Vivekanandha Institute of Allied Health,
Represented by its Correspondent,
K.Madhina, 22 years,
Wife of A.Ibrahim, Asanoor Road,
Elavanasur Kottai,
Ulundur Pet Taluk,
Villupuram District,
Pin-607 202.
12. Sri Jayanthi Institute,
Represented by its Correspondent,
D.Jayanthi, 39 years,
Daughter of Dhiyagarajan,
No.26, 27, SKN Nagar,
Near Taluk Office,



Kurinjipadi, Cuddalore District,
Pin-607 302.

13. Kamalam Institute,
Represented by IG. Aravazhinathan, 39 years,
Son of Ganesan,
Vaisiyar Street, Mangalam Pet,
Virudhachalam Taluk,
Cuddalore District.

14. Sri Iyyappa Institute,
Represented by its Correspondent,
M. Kannan, 31 years,
Son of Munusamy,
10, Ponnery,
Viruthachalam,
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.



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4.The Joint Director of Health Services,
Cuddalore Government Head Quarters Hospital,
Cuddalore.

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

6.The District Collector,
Villupuram,
Collectorate,
Villupuram,
Villupuram District.

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

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

9.The District Collector,
Thiruvannamalai,
Collectorate,
Thiruvannamalai,
Thiruvannamalai, District.

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

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



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

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

... 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 11 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 11 : Mr.T.Arunkumar,
Additional Government Pleader.

For Respondents-12 and 13: No Appearance



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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 11 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

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.
5. The Superintendent of Police,
Cuddalore District,
Cuddalore.
6. The District Collector,
Villupuram,
Collectorate,
Villupuram,
Villupuram District.
7. The Joint Director of Health Services,
Villupuram Government Head Quarters Hospital,
Villupuram.



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

9.The District Collector,
Thiruvannamalai,
Collectorate,
Thiruvannamalai,
Thiruvannamalai, District.

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

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

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