



Contempt Petition No.1102 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Contempt Petition No.1102 of 2023

and

Sub.Appln.No.374 of 2023

JK College of Nursing & Paramedicals,
Rep. by its Correspondent K.S.Gita,
S.F.No.90, Kamaraj Road,
Near ESI Hospital, Uppilipalayam,
Coimbatore – 641 015.

... Petitioner

vs.

1.Dr.M.Aswath Narayanan,
The Registrar,
The Tamil Nadu Dr.MGR Medical University,
No.69, Anna Salai, Guindy,
Chennai – 600 032.

2.Dr.Ani Grace Kalaimathi,
Tamil Nadu Nurses and Midwives Council,
Jayaprakash Narayan Maligai,
New No.56, Santhome High Road,
New Santhome Church,
Mylapore, Chennai – 600 004.

... Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, seeking to punish the respondents for their willful



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disobedience of the order of this Court dated 14.02.2023 passed in W.P.No.22390 of 2022.

For Petitioner : Mr.T.Mohan
Senior Counsel
for M/s.R.Anishkumar
For Respondents : Mr.Om Prakash
Senior Counsel
for Mr.Imayavarman
for M/s.Ramalingam & Associates [R1]
Mr.A.R.Nixon [R2]

ORDER

This Contempt Petition is filed seeking to punish the Respondents/contemnors for their wilful disobedience of the order dated 14.02.2023 passed by this Court in W.P.No.22390 of 2022.

2. The petitioner-College has filed W.P.No.22390 of 2022 seeking to direct the respondents to issue necessary permission/affiliation for increase in seats from 40 to 50 students for the B.Sc Nursing Degree Course at the petitioner-College from the academic year 2021 – 2022. This Court, by its order dated 14.02.2023, issued a direction to the petitioner to address the issue before the first respondent and on receipt of the same, the first respondent process the same within a period of



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seven working days from that particular date an order regarding their satisfaction to grant consent or otherwise for affiliation. Pursuant to which, order was passed on 05.04.2023 and now, the grievance of the petitioner-College is that the permission for increase of seats from 40 to 50 was granted for the academic year 2023–2024 instead of academic year 2021–2022, which is contrary to the direction issued by this Court in paragraph No.8(i) of the order dated 14.02.2023. Hence, the present contempt petition is filed.

3. Mr.Om Prakash, learned Senior Counsel appearing for the first respondent submitted that the order of this Court is complied and permission for additional intake of 10 students for the academic year 2023 – 2024 was granted. If at all the petitioner-College has any grievance for claiming additional 10 seats for the academic year 2021 – 2022, they have to file a separate writ petition. He also submits that a writ petition has also been filed by the petitioner-College before this Court in W.P.No.13016 of 2023. He further submits that the contempt petition is only to punish the wilful disobedience of the contemnors, not for remedy.



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M.DHANDAPANI,J.

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4. From the above submissions, it is seen that the respondents/contemnors have passed an order for additional intake of 10 students for the academic year 2023 – 2024. Hence, there is no wilful disobedience on the part of the respondents.

5. Accordingly, this Contempt Petition is closed. However, it is open to the petitioner to canvass all the points in the writ petition pending before this Court for claiming additional 10 seats for the academic year 2021 – 2022. Consequently, the sub application is also closed.

28.04.2023

Index : Yes/No
Speaking Order/ Non-speaking order
Neutral Citation Case : Yes/No
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