



WEB COPY



W.P.No.28707 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.28707 of 2025

M/s.Hindusthan Educational and
Charitable Trust, A Public Charitable Trust,
Regn. No.773/1992
Rep. by its Executive Trustee and Secretary
Dr. K.Priya,
Hindusthan Garden,
Behind to Nava India,
Avinashi Road, Coimbatore 641028.

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Health and Family Welfare Department,
Fort St. George, Chennai 600009.
- 2.The Director,
Directorate of Medical Education,
Chepauk, Chennai 600005.
- 3.Tamil Nadu Dr. MGR Medical University,
Rep. by its Registrar,
Anna Salai, Guindy, Chennai 600032.
- 4.Union of India,



W.P.No.28707 of 2025

WEB COPY

Rep. by its Secretary,
National Commission for Allied
And Health Care Professions and
Joint Secretary to Government of India,
2nd floor, Academic Block,
NHFV Campus, Munirca,
New Delhi 110067.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to permit the petitioner Institution to start Physiotherapy College and consequently direct the 3rd respondent to grant affiliation the course of Physiotherapy to the petitioner Institution.

For Petitioner : Mr.G.T.Subramanian

For R1 and R2 : Mr.K.Tippu Sultan
Government Advocate

For R3 : Mr.G.Arumugam
Standing Counsel

For R4 : Mr.K.K.Murrallitharan
Central Government Senior Panel Counsel

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the 1st and 2nd respondents to permit the petitioner Institution to start Physiotherapy College and consequently direct the 3rd



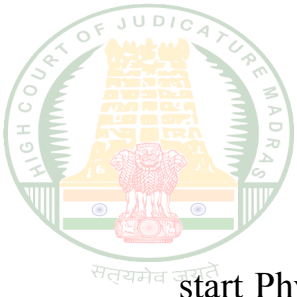
W.P.No.28707 of 2025

respondent to grant affiliation the course of Physiotherapy to the petitioner Institution.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the Petitioner-Trust has sent an application to the respondents on 19.02.2025 for starting Physiotherapy College in the name of Hindusthan Institute of Physiotherapy at Coimbatore and the said application is pending with the respondents.

5. At this juncture, the learned Government Advocate appearing for the respondents 1 and 2 would submit that vide letter dated 10.06.2025, the Ministry of Health and Family Welfare, National Commission for Allied Healthcare Professions, Government of India had addressed a letter to all States not to allow any new Healthcare Institution until the requisite regulations are framed and notified by NCAHP under Section 66 of the NCAHP Act, 2021. Therefore, the question of permitting the petitioner to



W.P.No.28707 of 2025

start Physiotherapy College does not arise. Hence, prayed to dismiss the writ petition.

6. I have given my anxious consideration to the submissions made on either side.

7. Though the petitioner's contention was strongly objected by the learned Government Advocate appearing for the respondents 1 and 2, the fact remains that the petitioner's application dated 19.02.2025 is pending with the respondents. Therefore, it is incumbent on the part of the respondents to consider the petitioner's application, and to pass order.

8. In view of the pendency of the petitioner's application before the respondents, without going into the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's application dated 19.02.2025 and pass orders on it's own merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

9. With the above direction, the Writ Petition is disposed of. No costs.



W.P.No.28707 of 2025

WEB COPY

31.07.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm

To

- 1.The Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George, Chennai 600009.
- 2.The Director,
Directorate of Medical Education,
Chepauk, Chennai 600005.
- 3.The Registrar,
Tamil Nadu Dr. MGR Medical University,
Anna Salai, Guindy, Chennai 600032.
- 4.The Secretary,
National Commission for Allied
And Health Care Professions and
Joint Secretary to Government of India,
2nd floor, Academic Block,
NHFW Campus, Munirca,
New Delhi 110067.



WEB COPY



W.P.No.28707 of 2025

C.KUMARAPPAN, J.

dm

W.P.No.28707 of 2025

31.07.2025