



W.P.Nos.47992 & 47995 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.47992 & 47995 of 2025
and W.M.P.Nos.53583, 53585, 53586 & 53587 of 2025

Stella Gnanamani

... Petitioner
(In W.P.No.47992 of 2025)

C.Sarojini

... Petitioner
(In W.P.No.47995 of 2025)

Vs

1.The Secretary,
Union of India,
Health and Family Welfare,
Room No.156-A,
Nirman Bhawan, New Delhi-110011.

2.The Secretary,
Indian Nursing Council,
8th Floor, NBCC Centre,
Plot.No.2, Community Centre Okhla Phase-I,
New Delhi-110020.

3.The Deputy Secretary,
Indian Nursing Council,
8th Floor, NBCC Centre,
Plot.No.2, Community Centre Okhla Phase-I,
New Delhi-110020.



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4.The Secretary
Health and Family Welfare Department,
Fort St.George, Chennai-09.

5.The Director,
Directorate of Medical Education,
Poonamallee High Road, Kilpauk,
Chennai-600 010.

6.The Director,
Medical and Rural Health Services,
D.M.S.Campus,
Teynampet, Chennai-600006/

7.The Joint Director of Medical Educational
& Research (Nursing Incharge)
Directorate of Medical Education,
Kilpauk, Chennai.

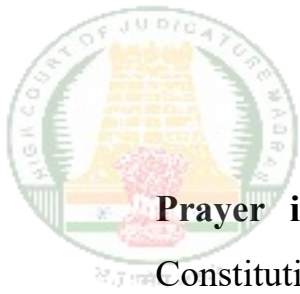
8. The Dean,
Government Thoothukudi Medical College and Hospital,
Thoothukudi-628008.

9.The Principal,
School of Nursing,
Government Thoothukudi Medical College and Hospital,
Thoothukudi-628008.

10.The Administrative Officer,
Government Thoothukudi Medical College and Hospital,
Thoothukudi-628008.

11.The Dean,
Government Medical College and Hospital,
Coimbatore.

... Respondents
(In both Petitions)



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Prayer in W.P.No.47992 of 2025: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records in respect of the Ref.No.90288/N1/22025 dated on 21.11.2025 impugned order issued by the 5th respondent and quash the same and consequently direct the respondent that the said order is not applicable to the petitioner who is working as Nursing Tutor Grade-II at the School of Nursing, Government Thoothukudi Medical College Hospital, Thoothukudi District (Ref No.64952/N2/2018-1(spl)), dated on 31.10.2018, and further direct the 5th respondent to continue the petitioner in the same Nursing Tutor Grade-II position.

Prayer in W.P.No.47995 of 2025: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records in respect of the Ref.No.90288/N1/22025 dated on 21.11.2025 impugned order issued by the 5th respondent and quash the same and consequently direct the respondent that the said order is not applicable to the petitioner who is working as Nursing Tutor Grade-II at the School of Nursing, Government Thoothukudi Medical College Hospital, Thoothukudi District (Ref No.64952/N2/2018-1(spl)), dated on 31.10.2018, and further direct the 5th respondent to continue the petitioner in the same Nursing Tutor Grade-II position.

In Both Writ Petitions

For Petitioner : Mr.Father A.Xavier Arulraj, Senior Counsel
for Mr.D.Prasanna

For Respondents : Mr.L.J.Vengatesh for RR-1 to 3.

: Mr.K.Tippusulthan,
Government Advocate for RR-4 to 111



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4. Learned counsel appearing for the respondents submitted that, though it is the claim of the petitioners that they were deputed on promotion to the post as Nursing Tutor Gr-II by order dated 31.10.2018 which was only on temporary basis and not on regular basis. However, in the said order, it was inadvertently mentioned that they had been promoted and posted as Nursing Tutor Grade-II, instead of posted on deputation as Nursing Tutor Grade-II. Therefore, the claim of the petitioners for repatriation to the promotional post is wholly unsustainable.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Admittedly, the petitioners were initially deputed as staff nurses to Thoothukudi Medical College Hospital, Thoothukudi and thereafter deputed on promotion as Nursing Tutor Gr-II by order dated 31.10.2018. However, till date, the promotional order is not cancelled by conducting any enquiry. Without cancelling the said promotional order, the petitioners were repatriated to their parent department by the present impugned order dated 21.11.2025. On this solitary ground, the impugned order dated 21.11.2025 is hereby set aside. If at all the respondents intend to repatriate the petitioners, such repatriation should be made

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only to the promotional post i.e., Nursing Tutor Grade-II and not to the original post.

7. The Writ Petitions are allowed in the above terms. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

15.12.2025

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

To

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Room No.156-A,
Nirman Bhawan, New Delhi-110011.

2.The Secretary,
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8th Floor, NBCC Centre,
Plot.No.2, Community Centre Okhla Phase-I,
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3.The Deputy Secretary,
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8th Floor, NBCC Centre,
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4.The Secretary

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Health and Family Welfare Department,
Fort St.George, Chennai-09.

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5.The Director,
Directorate of Medical Education,
Poonamallee High Road, Kilpauk,
Chennai-600 010.

6.The Director,
Medical and Rural Health Services,
D.M.S.Campus,
Teynampet, Chennai-600006/

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& Research (Nursing Incharge)
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