



**W.P.(MD).No.30517 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**DATED : 03.03.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.30517 of 2024

and

W.M.P.(MD)No.25636, 25637 & 25639 of 2024

N.Mohan Raj

... Petitioner

**-vs-**

1. The Principal Secretary,  
Health and Family Welfare Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.
2. The Director,  
Director of Medical Education,  
No.162, EVR Periyar Salai,  
Kilpauk, Chennai - 600 010.
3. The Registrar / Controller Of Examination,  
Dr. MGR Medical University,  
Guindy, Chennai - 600 032.
4. The Principal,  
Velammal College of Nursing,  
Thoothukudi Ring Road,  
Anuppanadi,  
Madurai - 625 009.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India,  
praying this Court to issue a Writ of Certiorarified Mandamus, to call for the



**W.P.(MD).No.30517 of 2024**

records pertaining to the impugned communication order passed by the 3<sup>rd</sup> respondent to 4<sup>th</sup> respondent dated 29.11.2024 and consequential discharge order passed by the 4<sup>th</sup> respondent dated 05.12.2024 and quash the same as illegal and consequently direct the respondents to readmit the petitioner in the 3<sup>rd</sup> year B.Sc., Nursing Course at the 4<sup>th</sup> respondent college for the academic year 2024-2025 within time stipulated by this Court.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.R.Suresh Kumar (R1 & R2)

Additional Government Pleader

Mr.A.S.Vaigunth (R3)

Mr.L.Shaji Chellan (R4)

### **ORDER**

The writ petition has been filed challenging the impugned communication dated 29.11.2024 issued by the 3<sup>rd</sup> respondent to 4<sup>th</sup> respondent and consequential discharge order passed by the 4<sup>th</sup> respondent dated 05.12.2024, with a consequential direction to the respondents to re-admit the petitioner in 3<sup>rd</sup> year B.Sc., Nursing Course, in the 4<sup>th</sup> respondent college for the academic year 2024-2025 within time stipulated by this Court.

2. The case of the petitioner is that he was a student studying B.Sc., Nursing Course, in the fourth respondent college. The petitioner and two



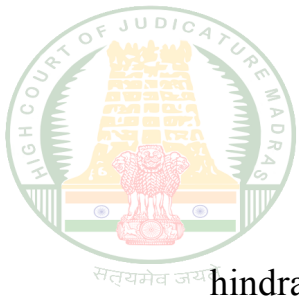
**W.P.(MD).No.30517 of 2024**

WEB COPY

others were suspended vide order dated 08.08.2024, due to the quarrel with other classmates. Though the petitioner and his parents approached the 4<sup>th</sup> respondent to revoke my suspension, the impugned discharge order dated 05.12.2024 came to be passed. Challenging the communication dated 29.11.2024 issued by the 3<sup>rd</sup> respondent and the discharge order dated 05.12.2024, this writ petition has been filed.

3. The learned counsel appearing for the petitioner relied upon the orders passed by this Court in WP(MD)No.12669 of 2024 dated 20.09.2024 and WP(MD)No.30841 of 2024 dated 14.02.2025, wherein this Court, by considering the undertaking given by the students therein that they will not indulge in any activities prejudicial to the interest of the institution and also other students and also considering their future, this Court permitted the students to continue their education.

4. The learned counsel appearing for the fourth respondent, by relying upon the counter affidavit, stated that though the petitioner and two others are given several opportunities to make right themselves from erratic behaviors and the behaviour modification therapy was also given to them, the petitioner and two others used to pose threat to other students, which would cause



**W.P.(MD).No.30517 of 2024**

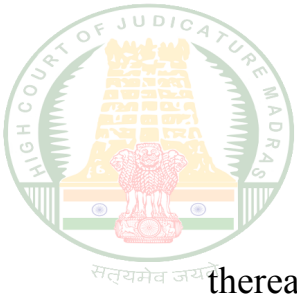
WEB COPY

hindrance to the well disciplined peaceful atmosphere of the college and hence, he prayed for dismissal of this petition.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents and the learned counsel appearing for other respondents.

6. The issue is of career of students. It is not disputed that the students have indulged in some wrong acts. But, at the same time, considering their future, some sympathetic approach is required. This should be in conformity with the reformatory theory of punishment. Hence, the petitioner can submit a fresh representation to the fourth respondent undertaking that he will not indulge in any wrong activities.

7. This Court, without going into the merits of the case, relegates this matter to the fourth respondent to decide this issue on its own merits and in accordance with law with sympathetic approach. The petitioner is also directed to submit a fresh representation to the fourth respondent within a period of one week from the date of receipt of a copy of this order, who in turn, shall decide the case of the petitioner within a period of one week



**W.P.(MD).No.30517 of 2024**

WEB COPY

thereafter. It is also made clear that the fourth respondent shall not be influenced by any of the observations made by this Court, as this Court has not gone into the merits of the case.

8. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

**03.03.2025**

NCC : Yes/No  
Index : Yes / No  
sm

**Note: Issue order copy on 03.03.2025**

**TO:-**

1. The Principal Secretary,  
Health and Family Welfare Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.
2. The Director,  
Director of Medical Education,  
No.162, EVR Periyar Salai,  
Kilpauk, Chennai - 600 010.
3. The Principal,  
Velammal College of Nursing,  
Thoothukudi Ring Road,  
Anuppanadi, Madurai - 625 009.



WEB COPY



**W.P.(MD).No.30517 of 2024**

**VIVEK KUMAR SINGH, J.**

sm

Order made in  
W.P.(MD)No.30517 of 2024

Dated:  
03.03.2025