



W.P.(MD)No.30841 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.30841 of 2024

and WMP (MD) No.25917 of 2024

R.V.Renish

: Petitioner

Vs.

1. The Principal Secretary,
Health and Family Welfare Department,
Fort St.George,
Secretariat,
Chennai - 600009.

2. The Director,
Director of Medical Education,
No.162, Evr Periyar Salai,
Kilpauk
Chennai - 600010.

3. The Registrar,
Dr.MGR Medical University,
Guindy,
Chennai - 600032.

4. The Principal,
Velammal College of Nursing,
Thoothukudi Ring Road,
Anuppanadi,
Madurai - 625009.

: Respondents



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PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to readmit the petitioner in the 3rd year B.Sc., Nursing Course at the 4th respondent college for the Academic year 2024-25 based on petitioner representations dated 29.04.2024 and 02.12.2024 within the time frame fixed by this Honourable Court.

For Petitioner : Mr.G.Arumugaraja

For Respondents : Mr.C.Venkatesh Kumar

Spl.Govt.Pleader for R1 & R2

Mr.A.S.Vaigunth for R3

Mr.L.Shaji Chellan for R4

ORDER

This writ petition has been filed for issuance of a writ of mandamus, directing the respondents to re-admit the petitioner in the third year B.Sc., Nursing Course at the fourth respondent college for the academic year 2024 – 2025 based on the petitioner's representations dated 29.04.2024 and 02.12.2024.



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2. The petitioner claims that he was admitted to B.Sc. Nursing in the fourth respondent College for the academic year 2021 – 2025. Subsequently, on 21.08.2023, the petitioner met with an accident and in this regard, a complaint was also given by the mother of the victim boy. The case of the petitioner is that although the victim boy was discharged from the hospital and the issue was settled between them amicably, the fourth respondent College threatened the petitioner to the effect that he would be dismissed from the College. Subsequently, he was suspended from the College for 50 days from 21.08.2023 to 10.10.2023 for the said incident. Furthermore, the petitioner had a quarrel with his classmates and as a result, the fourth respondent forcibly demanded a letter from him before handing over the transfer certificate, without providing any reason. In this regard, the petitioner submitted representations dated 29.04.2024 and 02.12.2024 to the respondents to re-admit him in the college to continue the course. However, since no action has been taken, the petitioner has now filed the present Writ Petition.

3. Heard both sides.



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4. When the matter was taken up for hearing today, the petitioner filed an affidavit of undertaking, in which he affirmed that he would not engage in any activities detrimental to the interests of the institution or other students. Furthermore, he mentioned that the charges leveled against him are minor in nature.

5. While it is expected that every student upholds the highest standards of discipline throughout their academic journey and ensures their behaviour does not negatively affect their peers, this Court recognizes the context of the allegations against the petitioner. With two years of the course already completed and only two remaining, this Court believes that even if the petitioner and his mother voluntarily accepted the transfer certificate, this should not prevent him from continuing his education.

6. Considering the affidavit of undertaking filed by the petitioner and the nature of the allegations against him, the respondents are directed to re-admit the petitioner to continue his education. However, it is explicitly stated that the petitioner must maintain the



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highest standards of discipline during his remaining years at the college and refrain from engaging in any activities that could harm the interests of either students or faculty. It is made clear that the petitioner shall make his own arrangements for accommodation outside the campus and he is required to attend college and return immediately after college hours.

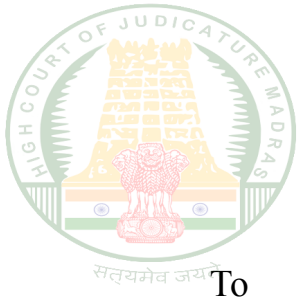
7. With the above observations and directions, the Writ Petition stands disposed of. The undertaking given by the petitioner shall form part of the record. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

14.02.2025

Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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