



W.P.(MD).No.11 of 2025

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.11 of 2025
and
WMP(MD)Nos.11 to 13 of 2025

M.Kabilan

... Petitioner

-vs-

1. The Registrar,
Tamilnadu Dr. MGR Medical University,
No.69, Anna Salai,
Guindy, Chennai - 600 032.

2. The Controller of Examination,
Tamilnadu Dr. MGR Medical University,
No.69, Anna Salai,
Guindy, Chennai - 600 032.

3. The Velammal College of Nursing,
Represented by Authorized Person,
Tuticorin Ring Road,
Anuppanadi, Madurai.

4. The Principal,
Velammal College of Nursing,
Tuticorin Ring Road,
Anuppanadi, Madurai.

... Respondents

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



W.P.(MD).No.11 of 2025

records relating to impugned orders of the 2nd respondent in Ref. No.EXVII(1)/24399/2023 dated 29.11.2024 and 4th respondent dated 05.12.2024 and quash the same as illegal and consequently readmit the petitioner in the 2nd year B.Sc., Nursing Course at the 4th respondent's College for the Academic Year 2024-2025 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.V.S.Kishok Kumar

For Respondents : Mr.A.S.Vaigunth (R1 & R2)

Standing Counsel

Mr.L.Shaji Chellan (R3 & R4)

ORDER

The writ petition has been filed challenging the impugned communication dated 29.11.2024 issued by the 2nd respondent and consequential discharge order passed by the 4th respondent dated 05.12.2024, with a consequential direction to the respondents to re-admit the petitioner in 2nd year B.Sc., Nursing Course, in the 4th 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.11 of 2025

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 4th 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 2nd 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 third and fourth respondents, by relying upon the counter affidavit filed by the fourth respondent, submitted 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



W.P.(MD).No.11 of 2025

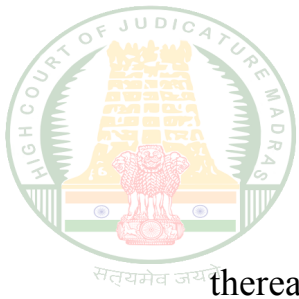
WEB COPY

threat to other students, which would cause 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 counsel appearing for the 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.11 of 2025

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,
Velammal College of Nursing,
Tuticorin Ring Road,
Anuppanadi, Madurai.



WEB COPY



W.P.(MD).No.11 of 2025

VIVEK KUMAR SINGH, J.

sm

Order made in
W.P.(MD)No.11 of 2025

Dated:
03.03.2025