



W.P.No.1155 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1155 of 2026

And

W.M.P.Nos.1343 and 1344 of 2026

Ramyapriya

... Petitioner

Vs.

- 1 The Secretary to Government,
Health and Family Welfare Department,
Fort St.George,
Chennai-09.
- 2 The Director of Medical Education,
Poonamallee High Road,
Kilpauk,
Chennai-10.
- 3 The Director of Medial and Rural Health Services,
DMS Building,
Annasalai,
Teynampet,
Chennai-06.
- 4 The Chairman,
Tamilnadu Public Service Commission,
TNPSC Road,
Broadway,
Chennai-03.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Certiorarified Mandamus to call for the records in connection with the impugned order passed by the second respondent in Ref.No.91852/N2/2025 dated 30.12.2025 and quash the same and further direct the respondents to fill up the existing vacancy of Nursing Tutor Grade-II post by direct recruitment through recruitment agency namely Tamilnadu Public Service Commission.

For Petitioner : Mr.Ali Hassan Khan
For Respondents : Mr.K.Tippusulthan for R1 to R3
Government Advocate
Mr.R.Bharanidharan for R4

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records in connection with the impugned order passed by the second respondent in Ref.No.91852/N2/2025 dated 30.12.2025 and quash the same and further direct the respondents to fill up the existing vacancy of Nursing Tutor Grade-II post by direct recruitment through recruitment agency namely Tamilnadu Public Service Commission.



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3.The learned counsel appearing for the petitioner submitted that the petitioner is a Graduate in Nursing and belongs to Most Backward Class Community and studied four years professional course and completed the course in the year 2019 and she was awarded the degree by the Tamil Nadu Dr.M.G.R.Medical University and she registered her name in the Tamilnadu Nurses and Midwives Council. The petitioner is qualified for appointment to the post of Nursing Tutor Grade – II. The learned counsel further submitted that in G.O.Ms.No.272, Health and Family Welfare (AA2) Department dated 09.09.2014, the Government fixed the ratio for selection to the post of Nursing Tutor Grade-II as 1:2, i.e., every first vacancy goes to direct recruitment and the next two vacancy goes to promotees (filled by way of promotion from among the staff nurses), however, till date the same has not been implemented and further submitted that the authorities are taking steps to fill up the existing vacancy without resorting to the direct recruitment and further submitted that the second respondent passed the impugned order for filling up the entire vacancy / posts by way of promotion.

4.The learned counsel appearing for the petitioner further submitted that if the impugned order is allowed to continue, the



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respondents will prepare panel list for promotion and if consequential promotion is carried out, then the petitioner will have no opportunity to participate in the selection process. The learned counsel further submitted that already instructions were given in G.O.Ms.No.272, Health and Family Welfare (AA2) Department dated 09.09.2014 for direct recruitment as per the ratio provided therein and subsequently, Government issued G.O.127 dated 21.04.2017 amending the Rules to the effect that TNPSC will conduct the selection/ recruitment to the post of Nursing Tutor Grade – II instead of Medical Recruitment Board, however, the respondents decided to fill up the post by way of promotion, which is not sustainable one.

5.The learned Government Advocate submitted that the impugned order was issued only for preparation of panel for the post of Nursing Tutor Grade – II for the panel year 2025 – 2026 for fixing salary. If at all any promotion is given contrary to the relevant Rules, at that time, the petitioner can very well adjudicate before this Court.

6.In view of the submission made by the learned Government Advocate appearing for the respondents 1 to 3, this writ petition is dismissed. If at all any promotion is given contrary to the relevant



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Rules, the petitioner is at liberty to challenge the same, in the manner known to law. No costs. Consequently, the connected miscellaneous petitions are closed.

12.01.2026

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

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