



W.P.No.1980 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 29.01.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1980 of 2026
and W.M.P.Nos.2079, 2082, 2083 and 2088 of 2026

Saravana Educational and Welfare Trust
Represented by its Managing Trustee
Educational Agency
Surabi Institute of Medical Science,
Surabi Garden Campus, Velliyana (North),
Velliyana (PO), Karur – 639 118.

.. Petitioner

Versus

1. Union of India
Represented by the Secretary to Government,
Ministry of Health and Family Welfare,
Room No.402-D, Nirman Bhawan,
New Delhi – 110 011.
2. State of Tamil Nadu
Represented by the Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai – 600 009.
3. Tamil Nadu Dr.M.G.R. Medical University,
Represented by its Registrar,
69, Anna Salai, Guindy,
Chennai – 600 032.



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4. The National Commission for Allied and Healthcare Profession,
Represented by its Secretary,
2nd Floor, Academic Block, NIHFW Campus,
Munirka, New Delhi – 110 067.
5. Tamil Nadu State Allied and Healthcare Council
Represented by its Secretary,
No.359-361, DMS Complex,
Anna Salai, Chennai – 600 006.
6. The Director of Medical Education,
Government of Tamil Nadu,
Kilpauk, Chennai – 600 010.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records relating to the impugned orders passed by (a) the 4th respondent in No.Z/103/2024-AHS-DOHFW Department, dated 09.12.2024, F.No.Z/103/2024-AHS-DOHFW, FTS No.8309547, dated 10.06.2025, (b) the impugned letter issued by the 5th respondent State Council, dated 10.06.2025, (c) the impugned letter issued by the 3rd respondent University in R.C.No.Affln.V(5)/16234/2025, dated 13.06.2025 and (d) quash the same and direct the 2nd and 6th respondents to continue with the process for granting of GO for starting additional course namely Diploma in Medical Laboratory Technology with an intake of 15 seats from the Academic Year 2026-2027.



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For Petitioner : Mr.D.Prabhu Mukunth Arunkumar

For Respondents : Mr.Rabu Manohar,
Central Government Standing Counsel,
for RR-1 and 4

: Mr.E.Sundaram,
Government Advocate, for RR-2, 5 and 6

: Mr.C.Arumugam,
Standing Counsel for R3

ORDER

This Writ Petition is filed for a Certiorarified Mandamus challenging the order of the fourth respondent, dated 19.12.2024 and 10.06.2025, the order of the fifth respondent, dated 10.06.2025 and the order of the third respondent, dated 13.06.2025 and to quash the same and to direct the respondent Nos.2 and 6 to continue the process for granting the Government Order for starting additional course namely, Diploma in Medical Laboratory Technology with an intake of 15 seats from the Academic Year 2026-2027.

2. Upon hearing the learned Counsel for the petitioner and perusing the affidavit filed in support of the Writ Petition and the other material records of the case, it can be seen that the grievance of the petitioner is that it is an existing recognized institution. It wanted to start



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an additional course of Diploma in Medical Laboratory Technology and the proposal was submitted and the same was in process. However, the same was not considered and the petitioner was informed by the impugned orders that the process will not be continued on account of the fact that under the provisions of the National Commission for Allied and Healthcare Professions Act, 2021, the regulations have to be framed by the Commission and until the new regulations are framed, these applications cannot be processed.

3. Both sides learned Counsel are at idem that the matter is no longer *res integra* and the issue has since been decided by the Division Bench by the judgment, dated 02.12.2025 in W.A.Nos.3213, 3277 and 3678 of 2025 that in respect of the existing institutions, the permissions need not await the framing of new regulations and by invoking the Doctrine of Necessity, the Division Bench has directed the processing of applications based on the existing parameters and rules. In view of the said judgment passed in, this Writ Petition is also liable to be allowed.

4. Accordingly, this Writ Petition is allowed on the following terms:-



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(i) The respondent Nos.2 and 6 are directed to further process the application of the petitioner to start the course of Diploma in Medical Laboratory Technology and pass a Government Order as laid down in G.O.Ms.No.1438, dated 28.07.1987, as amended from time to time, in accordance with law as expeditiously as possible, in any event, not later than four weeks from the date of receipt of a web-copy of this order without waiting for a certified copy of this order.

(ii) There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

29.01.2026

Neutral Citation : no
grs

To

1. The Secretary to Government,
Ministry of Health and Family Welfare,
Room No.402-D, Nirman Bhawan,
New Delhi – 110 011.
2. The Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai – 600 009.
3. The Registrar,
Tamil Nadu Dr.M.G.R. Medical University,
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4. The Secretary,
The National Commission for Allied and Healthcare
Profession,
2nd Floor, Academic Block, NIHFW Campus,
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Tamil Nadu State Allied and Healthcare Council
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