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W.P.Nos.21232 to 21234 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on: 17.06.2026

Pronounced on: 19.06.2026

CORAM

THE HONOURABLE MR.JUSTICE T. VINOD KUMAR

W.P.Nos.21232 to 21234 of 2009
and M.P.Nos.1, 1 & 1 of 2009

K.M.Santhosh
S/o.V.Kuppan, 2/91a, Duraiswamy Street,
Virupachipuram,
Vellore-632002.

... Petitioner in W.P.No.21232/2009

D.Alexander
S/o.D.Devadass, 1/110 A,
Arasamaram Street, Ariyur Post,
Village, Vellore-55.

... Petitioner in W.P.No.21233/2009

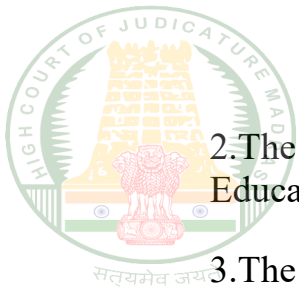
W.Vijay Naveen Kumar
S/o.N.William,
Ponniamman Koil Street
(extension), Ponninagar,
Kaspa, Vellore-3.

... Petitioner in W.P.No.21234/2009

Vs.

1. The State Of Tamil Nadu
Represented By The Secretary To The
Government, Health And Family
Welfare (c2) Department, Secretariat,
Chennai-9.

1/14



2.The Director Of Medical
Education, Chennai-10.

3.The Dean
Govt. Vellore Medical College,
Hospital, Vellore.

4.The Controller Of Examinations,
Christian Medical Association of
India, 3rd Floor, Hvs Court, 21
Cunningham Road, Bengaluru,
Karnataka 560052.

5.The Principal,
Christian Medical College,
Vellore 632 002.

**(R4, R5 IMPEADED VIDE
ORDER DT 21.12.2021 MADE IN
WMP.28982/2021 IN
WP.21232/2009)**

... Respondents in
W.P.No.21232/2009

1. The State Of Tamil Nadu
Represented By The Secretary To The
Government, Health And Family
Welfare (C2) Department,
Secretariat, Chennai-9.

2.The Director Of Medical
Education, Chennai-10.

3.The Dean
Govt. Vellore Medical College,
Hospital, Vellore.

4.The Controller Of Examinations,
Institute Of Public Health And
Hygiene, Block A, RZ-A-44, Rd
Number 4, Mahipalpur Extension,
New Delhi, Delhi 110037.



W.P.Nos.21232 to 21234 of 20



**(R4 (IMPLEADED VIDE ORDER
DT 21.12.2021 MADE IN
WMP.28986/2021 IN
WP.21233/2009)**

.. Respondents in W.P.No.21233/2009

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1. The State of Tamil Nadu
Represented By The Secretary To The
Government, Health And Family
Welfare (C2) Department,
Secretariat, Chennai-9.

2. The Director of Medical
Education, Chennai-10.

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India, 3rd Floor, Hvs Court, 21
Cunningham Road, Bengaluru,
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5. The Principal,
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Vellore 632 002.

**(R4,R5 IMPLEADED VIDE
ORDER DT 21.12.2021 MADE IN
WMP.28987/2021 IN
WP.21234/2009)**

.. Respondents in W.P.No.21234/2009

Prayer in W.P.No.21232/2009 : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the relevant records of the 3rd respondent relating to the termination Letter No.4561/E2/2007 Dated 23.11.2007 and quash the same and direct the respondents to reappoint the Petitioner as Dark Room Assistant in the 3rd respondent Hospital based upon his equivalent qualification.



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Prayer in W.P.No.21233/2009 : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the relevant records of the 3rd respondent relating to the termination Letter No.4561/E2/2007 Dated 23.11.2007 and quash the same and direct the respondents to reappoint the Petitioner as Dark Room Assistant in the 3rd respondent Hospital, based upon his equivalent qualification.

Prayer in W.P.No.21234/2009 : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the relevant records of the 3rd Respondent relating to the termination Letter No.4561/E2/2007 Dated 23.11.2007 and quash the same and direct the respondents to reappoint the Petitioner as Dark Room Assistant in the 3rd respondent Hospital, based upon his equivalent qualification.

For Petitioners in
all W.P.Nos. : Ms.Sharmitha RC
for Mr.D.Saravanan

For Respondents in
all W.P.Nos. : Ms.Y.Kavitha for R1 to R3
Government Advocate

M/s.Ramasubramaniam Asso for R5
in (W.P.Nos.21232 & 21234/2009)

R4- Tabal Returned in all W.P.Nos.



COMMON ORDER

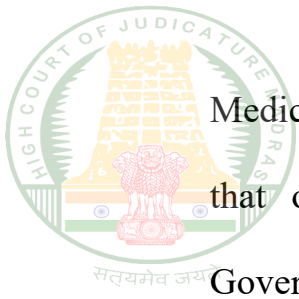
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Since the issue involved in all the three Writ Petitions is one and the same and the learned counsel representing the petitioners is also the same, all the three Writ Petitions were heard together and are being disposed of by the common order.

2. Heard, Ms.Sharmitha RC, learned counsel representing Mr.D.Saravanan, learned counsel appearing on behalf of the petitioners, Ms.Y.Kavitha, learned Government Advocate appearing on behalf of the respondents 1 to 3 in all Writ Petitions and M/s.Ramasubramaniam Associates, learned counsel appearing behalf of the fifth respondent in W.P.Nos.21232 & 21237/2009 and perused the records.

3. For convenience of reference, the facts as stated in W.P.No.21232 of 2009 are being considered.

4. It is the common case of the petitioners that they had completed a Diploma Course in Radio Diagnosis Technology/X-Ray Electrocardiogram by seeking admission in Christian Medical Association of India, Grace
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Medical Academy and Arogyavaram Medical Center, Arogyavaram (A)

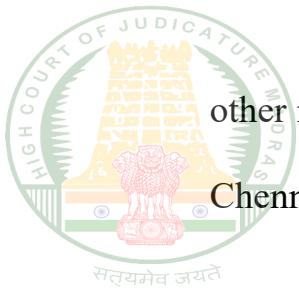
that on completion of the aforesaid course, they were appointed in

Government Vellore Medical College Hospital, Vellore, in the post of Dark

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Room Assistant vide proceedings dated 16.05.2005, on contract basis in the consolidated pay of Rs.2,500/- per month; that their services were made permanent and were granted pay scale by the third respondent vide proceedings dated 30.10.2007 with effect from 01.04.2007; and that the third respondent within a month thereafter had issued impugned proceedings terminating their services on the ground that it has been found that the qualification certificate furnished by them are not from a recognized institute of the State of Tamil Nadu and as such their appointment as Dark Room Assistant are terminated with immediate effect.

5. The petitioners contend that they had completed the Diploma course having duration of one year/two year respectively by taking admission in institutions namely, Christian Medical Association of India, Arogyavaram Medical Center, Arogyavaram (AP) and Grace Medical Academy; that on joining these institutes, they had under gone training in existing medical colleges like CMC, Vellore which are affiliated to one or



other medical university like the Tamil Nadu Dr.M.G.R. Medical University, Chennai or the other.

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6. The petitioners further contend that since they had attended the course and obtained the Diploma from Christian Medical College Hospital, Vellore, the respondent could not have terminated their services on the ground that their qualification certificates are from un-recognized institutions of the State of Tamil Nadu.

7. It is the further case of the petitioners that though the third respondent by the impugned proceedings had terminated the appointment of Five Dark Room Assistant in all on the said ground, the respondents thereafter, however restored the appointment of one Thiru.A.Sudhakar and Tmt.M.Kavitha, who did not possess Diploma certificates from institutes Recognized by the Government of Tamil Nadu; and thus, the aforesaid action of the third respondent is discriminatory and without any valid basis. Contending as above, the petitioners seek for setting aside the impugned order and for being granted the consequential benefit.

8. Counter affidavit on behalf of the respondents is filed.



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9. The respondents by the counter affidavit contended that the institutes from which the petitioners have obtained the Diploma in Radio Diagnosis Technology of two years duration or Diploma in X-Ray and Electrocardiogram (ECG) of duration of one year from the respective institute i.e., Christian Medical Association of India, Vellore and Grace Medical Academy affiliated by “the Institute of Public Health and Hygiene (IPHH), New Delhi” are not recognized institutions in the State of Tamil Nadu or in the respective State to offer the said courses, for the petitioners to claim that they had obtained Diploma from a State Government recognized institutions.

10. The respondents by the counter affidavit further contend that though vide impugned proceedings, the third respondent had initially terminated the services of five persons, on two of such candidates submitting the information relating to the institution where they had pursued Diploma course being recognized in the respective State i.e., in the State of Karnataka, their appointments were restored and are continued.

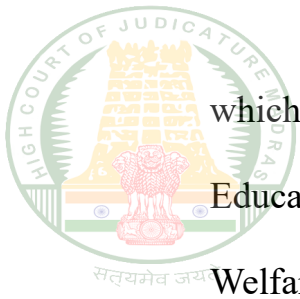


11. The respondents by the counter affidavit contend that the petitioners on the other hand have failed to produce any evidence to show that the institution through which they obtained the Diploma Certificates being recognized either by the Government of Tamil Nadu or by any other State Government and as such cannot claim that their certificate have been validly obtained from recognized institute.

12. The respondents also contended that the petitioners were only granted pay scale as against consolidated pay and their services were not regularized as claimed and continued on contract basis, thus, as the petitioners were on contract basis, finding their Diplomas are from un-recognized institutes their services were terminated. Contending as above, the respondents seek for dismissal of the Writ Petitions.

13. I have taken note of the respective contentions urged.

14. Though the petitioners in W.P.Nos.21232 & 21234 of 2009 claim of having taken training in Christian Medical College Hospital, Vellore, the institute in which they obtained admission i.e., Christian Medical Association of India is only a society registered under the Societies Act,



which does not have any registration with the Directorate of Medical

Education and Research (DMER) which operates under the Health & Family

Welfare Department and grants recognition to the institutes to undertake

conduct of Diploma courses in the State of Tamil Nadu.

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15. Insofar as the petitioner in W.P.No.21233/2009 is concerned, he had got himself admitted into one Grace Medical Academy, affiliated by “the Institute of Public Health and Hygiene (IPHH), New Delhi” and completed the course having a duration of one year, under distance and continuing education programme and not by attending any training in regular class.

16. All the above Institutions through which the petitioners had secured their Diploma not only offered Diplomas, with varying duration of the study but are also not recognized and authorized to impart education in the said subject and to award Diplomas which can be considered as having been obtained from a recognized institute of any particular State if not from the State of Tamil Nadu, for the petitioners to claim that their Diploma is recognized atleast in one State or the other.

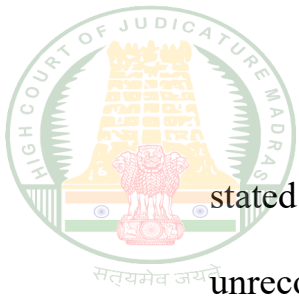


17. The certificates and Diploma Courses offered by the institutes li

the ones where petitioners had joined may have a tie-up with colleges or private Hospitals to train and develop skill of a candidate that by itself cannot be considered as recognition. The least they can be considered and meant for internal training and absorption and are not State recognized in order to secure Government Employment or commence independent practice on the basis of such certificates.

18. The Hon'ble Supreme Court while dealing with the certificates from the un-recognized institutions or courses/studies conducted in the un-recognized institutions, contrary to the norms prescribed, will be detrimental to the interest of the nation in the sense that in the process of building a great nation, teachers and educational institutions also plays a vital role. The Court also held that, the students should also be aware of the same and there is no room for extending any sympathy in favour of such institutions or the students, invoking for any grant of relief. [see: 1) ***L.Muthukumar and another Vs. State of Tamil Nadu and others [(2000) 7 SCC 618]***, 2) ***National Council for Teacher Education (NCTE) and another Vs. Venus Public Education Society and others [(2013) 1 SCC 223]*** and 3) ***Adarsh Shiksha Mahavidyalaya and others Vs. Subhash Rahangdale and others, [(2012) 2 SCC 425]***.

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19. Since the respondents by the counter affidavit having specifica

stated that the Diploma certificates obtained by the petitioners are from unrecognized institutions either in the State of Tamil Nadu or the other States, it cannot be said that the petitioners possessed validly obtained Diploma certificate from recognized institutions of a particular State which are considered as equivalent in the State of Tamil Nadu for them to be allowed to continue with their appointment as Dark Room Assistant in the Government Hospital, namely, Government Vellore Medical College & Hospital, Vellore.

20. Thus, the impugned proceedings in the considered view of this Court does not suffer from any illegality or infirmity, requiring to be interfered with.

21. Accordingly, the Writ Petitions fail and are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

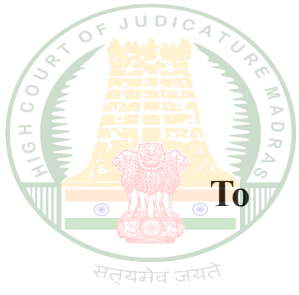
19.06.2026

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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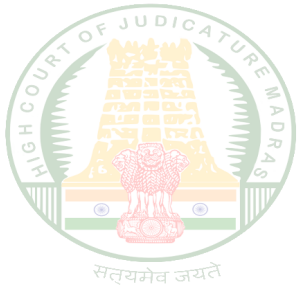


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T. VINOD KUMAR,



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Pre-Delivery Order in
W.P.Nos.21232 to 21234 of 2009
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