



W.P. No.3538 of 2026

W.P. No.3538 of 2026

and

W.M.P. Nos.3965, 3966 and 12231 of 2026

WEB COPY

M. DHANDAPANI, J.

The matter is listed today under the caption “for being mentioned”.

2. It is brought to the notice of this Court that the Survey No. has been wrongly mentioned as 80/2 in the relevant portion of the prayer instead of correct Survey No.810/2, and therefore, the same needs to be rectified. Due to the aforesaid correction in the prayer portion, the 1st paragraph of the order also requires rectification. Therefore, necessary corrections shall be made in the above said paragraphs.

3. Since the above errors are typographical in nature, the same shall be substituted as follows :-

Prayer : *Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus forbearing the respondents 1 to 6 from considering and granting approval, letter of permission, or sanction in favour of the 7th respondent for the starting of the Medical College under the name and Style “Nandivarman Medical College and Hospital” at the property of the Petitioner comprised in S.No. 810/1, 810/2,811/1 and 811/2 Uthukkadu Village, Walajabad Taluk, Kancheepuram District pending final determination of all issues in relation to TSA No. 535 and 555 of 2023 and SA No. 585 of 2023 on the file of the DRT-III, Chennai.*



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WEB CUM **1st paragraph**

This writ petition has been filed seeking a Writ of Mandamus to forbear the respondents 1 to 6 from granting approval, permission or sanction to the 7th respondent for establishing a medical college in the name and style of “Nandivarman Medical College and Hospital” at the petitioner’s property comprised in S.No. 810/1, 810/2, 811/1 and 811/2 situated at Uthukkadu Village, Walajabad Taluk, Kancheepuram District pending adjudication of disputes before the Debts Recovery Tribunal.

4. Except the above modifications, remaining portion of the order dated 01.04.2026 shall stand unaltered.

5. Registry is directed to carry out aforesaid corrections and issue fresh order copy to the parties.

27.04.2026

vsi2

Note: Registry is directed to issue a fresh order copy after making necessary corrections.



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WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.3538 of 2026

and

W.M.P. Nos.3965, 3966 and 12231 of 2026

Sri Venkateshwara Educational Trust,
Uthukkudu -near Walajabad,
Kancheepuram 631 605,
Rep.by its Managing Trustee
G.Kesav Yadav

..Petitioner(s)

Vs

1. Medical Assessment and Rating Board,
National Medical Commission,
Pocket-14, Sector-8, Dwaraka-Phase-I,
New Delhi-110 077.
2. The Principal Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St.George, Secretariat,
Chennai -600 009.
3. The Director,
Directorate of Medical Education,
162, Periyar EVR High Road
(Poonamalle High Road),
Kilpauk, Chennai -600 010.
4. The President,
Tamil Nadu Medical Council,



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No.959 and 960 Poonamallee High Road,
Purasaiwakkam, Chennai -600 084.

5. The Secretary,
University Grants Commission,
Bhadursha zafar Marg,
New Delhi-110 002.
6. Union of India,
Rep.by the Secretary to Government
Ministry of Health and Family Welfare
Nirman Bhavan, New Delhi-110 011.
7. J.R.Super Specialty Hospital Pvt Ltd,
No. 29, Tilak Street,
Parthasarathipuram, T.Nagar,
Chennai -600 017.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus forbearing the respondents 1 to 6 from considering and granting approval, letter of permission, or sanction in favour of the 7th respondent for the starting of the Medical College under the name and Style “Nandivarman Medical College and Hospital” at the property of the Petitioner comprised in S.No. 810/1, 80/2,811/1 and 811/2 Uthukkadu Village, Walajabad Taluk, Kancheepuram District pending final determination of all issues in relation to TSA No. 535 and 555 of 2023 and SA No. 585 of 2023 on the file of the DRT-III,Chennai.

For Petitioner : Ms.R.Vidhya Shankar
For Respondents : Mr.K. Tippusulthan
Govt. Advocate for R2 and R3
Ms.P.J. Anitha
Sr. Panel Counsel for R6
Mr.B. Rabu Manohar,
Standing Counsel for R1 and R5
Mr.U. Baranidharan for R4
Mr.Muthuchharan for
Mr.G.Gokul for R7



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ORDER

This writ petition has been filed seeking a Writ of Mandamus to forbear the respondents 1 to 6 from granting approval, permission or sanction to the 7th respondent for establishing a medical college in the name and style of “Nandivarman Medical College and Hospital” at the petitioner’s property comprised in S.No. 810/1, 80/2, 811/1 and 811/2 situated at Uthukkadu Village, Walajabad Taluk, Kancheepuram District pending adjudication of disputes before the Debts Recovery Tribunal.

2. The case of the petitioner, in brief, is that the petitioner is a public charitable educational trust running various educational institutions. The petitioner owns an extent of about 20 acres of land situated in Survey Nos. 810/1, 810/2, 811/1 and 811/2 at Uthukkadu Village, Walajabad Taluk, Kancheepuram District. It is stated that the petitioner had availed financial assistance from ICICI Bank and UCO Bank to the tune of Rs.24.50 crores, out of which a sum of about Rs.6.77 crores was outstanding as on 30.06.2016, as per the demand notice. Due to the alleged default, proceedings were initiated under the SARFAESI Act and the subject property was brought to auction. The auction culminated in issuance of sale certificate in favour of the 7th respondent



on 04.05.2022.

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3. Further, it is stated that the said auction and subsequent alienation in favour of the 7th respondent are under challenge before the Debts Recovery Tribunal in TSA Nos.535 and 555 of 2023 and S.A. No.585 of 2023. It is further stated that while the said proceedings are pending, the 7th respondent has approached the official respondents seeking approval to establish a Medical College in the subject property. In such circumstances, this writ petition has been filed with the aforesaid prayer.

4. Learned counsel for the petitioner contended that if such approval is granted, it would seriously prejudice the petitioner's rights as well as rendering the proceedings pending before the DRTs become infructuous. He further submitted that due to pressure given by the 7th respondent, the respondents are processing the proposal for grant of necessary approval to permission to start the Medical College from the academic year 2026-2027 in a hurried manner. Therefore, he prayed before this Court that appropriate directions may be issued to the respondents 1 to 6 to defer or not to grant any approval pending disposal of the proceedings before the DRTs.

5. Per contra, the learned counsel appearing for the 7th respondent submitted that the 7th respondent is a bona fide auction purchaser who has purchased the property in proceedings initiated under the SARFAESI Act and a



sale certificate has already been issued in its favour.

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6. He further submitted that the petitioner had earlier challenged the SARFAESI proceedings by filing S.A. No.34 of 2022 before the Debts Recovery Tribunal-II, Chennai, and the Tribunal had passed a conditional order directing the petitioner to deposit a sum of Rs.10 Crores. Drawing the attention of this Court to the observations made therein, he pointed out that failure to such remittance, the respondent are at liberty to proceed further in accordance with law. He also submitted that since the petitioner has not complied with the said condition, the said application was dismissed on the next hearing date. Thereafter, the petitioner has filed subsequent TSA Nos.535 and 555 of 2023 and S.A. No.585 of 2023, which are stated to be vexatious and pending.

7. Learned counsel for the 7th respondent would contend that merely because such proceedings are pending, the 7th respondent cannot be deprived of its right to seek statutory approvals. He further submitted that there is no legal bar for the authorities to process the application submitted by the 7th respondent. Therefore, he prayed before this Court for issuance of appropriate directions in the above regard.

8. Learned counsel appearing for the respondents 2 and 3 submitted that the applications of the 7th respondent will be considered in accordance with law and if all statutory requirements are satisfied, appropriate orders will be passed.



9. This Court heard the submissions made by learned counsel on either side and perused the materials placed on record.

10. It is an admitted position that the subject property was brought to sale in proceedings under the SARFAESI Act and the 7th respondent has been issued with a sale certificate. It is also not in dispute that the petitioner has challenged the said proceedings before the Debts Recovery Tribunal, Chennai (DRT III) and the matters in TSA Nos.535 and 555 of 2023 and S.A. No.585 of 2023 are pending consideration.

11. It is further seen that earlier proceedings initiated by the petitioner in S.A. No.34 of 2022 were dismissed for non-compliance of the conditional order passed by the Tribunal directing the petitioner to deposit a sum of Rs.10 Crores.

12. As on date, there is no interim order or restraint order passed either by the Debts Recovery Tribunal or by any competent Court restraining the 7th respondent from dealing with the property or restraining the official respondents from considering the application submitted by the 7th respondent.

13. In the absence of any such restraint order, this Court is of the view that there is no legal impediment for the respondents 1 to 6 to process the application submitted by the 7th respondent for grant of necessary approvals, in accordance with law.



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14. However, at the same time, since the proceedings challenging the SARFAESI action are pending before the Debts Recovery Tribunal, the interest of the petitioner requires to be safeguarded.

15. In view of the above, this Court directs the respondents 1 to 6 to process the application submitted by the 7th respondent and pass appropriate orders in accordance with law, if the 7th respondent satisfies all the statutory requirements.

16. It is made clear that any approval or permission granted in favour of the 7th respondent shall be subject to the outcome of the proceedings pending in TSA Nos.535 and 555 of 2023 and S.A. No.585 of 2023 before the Debts Recovery Tribunal, Chennai (DRT III) and any further orders that may be passed by the competent forum.

17. With the above observations and directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

01.04.2026

Index : Yes / No
Speaking Order / Non-speaking order



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Neutral Citation Case : Yes / No
vsi2

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To

1. Medical Assessment and Rating Board,
National Medical Commission,
Pocket-14, Sector-8, Dwaraka-Phase-I,
New Delhi-110 077.

2. The Principal Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai -600 009.

3. The Director,
Directorate of Medical Education,
162, Periyar EVR High Road
(Poonamallee High Road),
Kilpauk, Chennai -600 010.

4. The President,
Tamil Nadu Medical Council,
No.959 and 960 Poonamallee High Road,
Purasaiwakkam, Chennai -600 084.

5. The Secretary,
University Grants Commission,
Bhadursha zafar Marg,
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6. Union of India,
Rep.by the Secretary to Government
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