



WEB COPY

WP No. 5751 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 5751 of 2026

and WMP.Nos.6260 to 6263 of 2026

1. V.Arulkumar
S/O.Varadarajan
No.4/31, Poosari street
Thammanayakkanpatti
Salem-636 010
2. R.Kalarani
w/0.Chernapandian, No.86, Margatham
Garden,
Pricol Backside,
Coimbatore 641 047.
3. M.Elumalai
s/o.Mottai,
No.191, Thirumani Main Road,
Indira Nagar,
Chengalpattu
4. 4.M.Szakthivel s/o
s/o.Marichamy,
No.3/80, South Street,
S.Melapatti, Peraiyur Taluk,



Madurai 625 703.

5. T.Sangeetha
w/o.Dayanithi,
FF5, B Block, Junaid Joy Bossan Apartment,
Vanagaram
Chennai - 600 095

..Petitioner(s)

Vs

1. The State Rep by
The Additional Chief secretary to Government
Health and Family welfare Department
Secretariat
Chennai-600 009
2. The Director of Medical Education and
Research
Periyar E.V.R.High Road
Chennai-10
3. The Secretary
Indian Nursing council
8th floor, NBCC Centre
Plot No.2, community centre
Okhla phase-I,
New Delhi-110 020
4. The President
The Tamilnadu Nurse and Midwives council



No.56, Santhome High Road
Mylapore chennai-4

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5. The Registrar

Indira Gandhi National open university
Maidhan Garhi
New Delhi

6. Tmt.Sundararaj Nirmala,
Nursing Tutor Grade - 11,
School of Nursing,
Kanyakumari.

7. R.Delbin Pushparani,
Nursing Tutor Grade -1II,
School of Nursing,
Kanyakumari

8. C.Jeya Sheela,
Nursing Tutor Grade -1II,
School of Nursing,
Kanyakumari

9. C.Murugan
Nursing Tutor Grade -II,
School of Nursing,
Kanyakumari

10.S.Victoria



Nursing Tutor Grade - 11,
School of Nursing,
Cuddalore

11.S.V.Mayadevi

Nursing Tutor Grade- II,
School of Nursing,
Tirupur

12.P.Nagarajan

Nursing Tutor Grade - II,
School of Nursing,
Tirunelveli

13.S.David Wilson

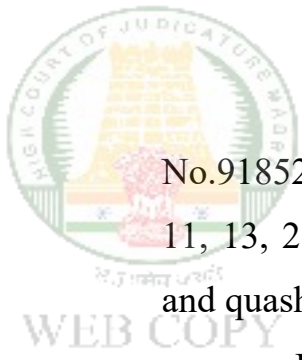
Nursing Tutor Grade II,
ANM School,
Tirunelveli

14.A Kulanthai Therese

Nursing Tutor Grade 1I,
ANM School,
Tirunelveli

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records leading to the issuance of impugned order issued by the 2 Respondent in Ref



No.91852/N2 dated 27.01.2026 in so far as the list of candidates in Serial No. 7, 11, 13, 25, 35, 55, 58 and 63 included in Ref No.91852/N2 dated 27.01.2026 and quash the same

For Petitioner(s): Mr.V.Prakash, Sr. Counsel
for Ms.Ramapriya

For Respondent(s): Mr.K.Tippu Sulthan, GA for R1 & R2

ORDER

Challenging the impugned order of the second respondent in Ref No.91852/N2 dated 27.01.2026 insofar as the list of candidates in Serial No. 7, 11, 13, 25, 35, 55, 58 and 63 included in Ref No.91852/N2 dated 27.01.2026, the present Writ Petition has been filed.

2. Heard the learned counsels appearing on either side. With the consent of both sides, the Writ Petition is taken up for hearing today at the admission stage itself. Since no adverse orders has to be passed as against the respondents 3 to 14 in this Writ Petition, notice to them is dispensed with.

3. In view of the order proposes to be passed by this Court in this Writ Petition, WMP.No.6259 of 2026 filed by the petitioners to permit them to join together and file a single Writ Petition, is allowed subject to payment of separate Court fee, if not already paid.



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4. The learned Senior counsel for the petitioners submitted that the petitioners were appointed as Nurses in the Health Family Welfare Department with GNM qualification and serving as Nurses in various Government Institutions and as in-service candidates, they completed Post Basic B.Sc., Nursing degree on regular basis on full time study and their avenue of promotion is Nursing Tutor Grade II and the qualification prescribed for the said post is B.Sc., (Nursing) and while so, the panel for the year 2025-2026 for the said post was released by the second respondent on 27.01.2026, wherein the names of the petitioners herein are not included. He further submitted that the names of the private respondents herein, who have obtained B.Sc., Nursing through Indira Gandhi National Open University [IGNOU] are included in the said panel though distance mode of education in Nursing is in violation of Sections 10, 11 & 14 read with Part II Schedule of the Indian Nursing Council Act, 1947; Tamil Nadu Nurses and Midwives Council Act, 1926 and University Grants Commission Regulations. He continued that the petitioners made a representation dated 28.01.2026 addressing their grievances, however, no order was passed and hence, the present Writ Petition.

5. Per contra, the learned Government Advocate submitted that even though the impugned order was passed, the aggrieved persons may prefer an



appeal against the impugned order before the second respondent herein and there may be a direction to the second respondent to pass appropriate orders in the said appeal within a reasonable time, if any such appeal is filed.

6. In view of the above, the petitioners herein are directed to file an appeal for non inclusion of their names in the panel for the year 2025-26 for the post of Nursing Tutor Grade II before the second respondent, within a period of two weeks from the date of receipt of a copy of this order and if any such appeal is filed, the second respondent herein is directed to consider the same and pass appropriate orders in accordance with law, within a period of four weeks therefrom. The second respondent may evaluate the qualification possessed by the petitioners and private respondents for the said post.

7. With the above directions, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

16-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

Note: Issue order copy on 17.02.2026



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