



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 12754 of 2026

&

WMP.Nos.13945, 13948, 13948 & 13952 of 2026

Vyrathi Charitable and Educational trust
Lakshmi Illam, No 50 Kalaimagal Street,
Komarapalayam 638 183 Namakkal District,
Rep by its Managing Trustee,
Educational Agency,
SSM college of Physiotherapy
Chinnampalayampudur, Jambai,
Erode District

..Petitioner(s)

Vs

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. MGR Medical University
Represented by its Registrar
69 Anna salai, Guindy,
Chennai 600 032
4. The National commission for Allied and
healthcare profession
Represented by its Secretary,
2nd Floor, Academic block, NIHFWS 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

..Respondent(s)

Prayer: Writ Petition filed under Art. 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call 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 and F. no Z / 103/ 2024- AHS - DOHFW, FTS no 8309547 dated 10.06.2025 and

b) the impugned letter issued by the 5th respondent state council dated 1.06.2025 and

c) the impugned letter issued by the 3rd respondent University in R.C. No. Affin. V (5) / 16234 / 2025 dated 13.06.2025 and Lr no. Affin / III (2) / 20604 / 2026 dated 16.02.2026

d) quash the same and direct the 3rd respondent university to process the application of the petitioner college dated 02.02.2026 for increase of intake of seats in the existing course in the petitioner college namely Bachelor of Physiotherapy form 50 to 100 seats for the academic year 2026-2027 and grant continuance of Provisional affiliation without insisting on no objection certificate / permission from the Government of Tamil Nadu.

For Petitioner : Mr. D.Prabhu Mukunth Arunkumar

For Respondents : Mr. B.Rabu Manohar
SCGC For R1 & R4
Mr.K.Tippusulthan for R2
Mr. Hari Radha Krishnan
for R3



ORDER

This Writ Petition is filed challenging the order passed by the 4th respondent dated 10.06.2025, letter issued by the 5th respondent dated 10.06.2025 and the letter issued by 3rd respondent dated 16.02.2026 and also for a consequential direction to the 3rd respondent to process the application of the petitioner College dated 02.02.2026 for increase of intake of seats in the existing course in the petitioner College namely, Bachelor of Physiotherapy from 50 to 100 seats for the academic year 2026-2027 and grant continuance of Provisional affiliation without insisting on no objection certificate / permission from the Government of Tamil Nadu.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an existing college imparting Under Graduate Allied Health Science Course from the Academic year 2021 with affiliation from the 3rd respondent University. At present Petitioner College is conducting Bachelor of Physiotherapy course with an intake of 50 seats. In order to increase its intake of seat for the academic year 2026-27, the petitioner college applied before the 3rd respondent vide letter dated 02.02.2026 seeking permission to increase its intake capacity from 50 to 100 seats. However, the 3rd respondent, vide its letter dated 16.02.2026 rejected the request of the petitioner college stating that as per GO.Ms.No.81, dated



14.03.2018, permission has to be obtained from the State Government. In its communication, the 3rd respondent also referred the communication dated 10.06.2025 issued by the 5th respondent to Director of Medical Education, Govt. of Tamilnadu, Kilpauk, Chennai-10, wherein, it has been informed that the National Commission for Allied and Healthcare Profession/4th respondent has issued a communication dated 10.06.2025 to the 5th respondent/Tamil Nadu State Allied and Healthcare Council, informing not to commence any New Institution/Courses/Increase intake capacity of all Allied and Healthcare Professions till further communication received from National Commission for Allied and Healthcare Profession/4th respondent and the order dated 09.12.2024 already issued by the 4th respondent should be strictly adhered to. Further, vide email dated 13.06.2025, the 3rd respondent University, informed the petitioner college that in adherence of order dated 09.12.2024, increase in intake in existing course shall not be made without prior approval and that the directive applies to all the Allied and Healthcare Courses and the same has to be strictly followed until further communication received from the National Commission for Allied and Healthcare Profession 4th respondent. Challenging such non processing of the application dated 02.02.2026 for increase of intake of seats in B.PT course, the present writ petition is filed.



3. Today, when the matter is taken up for consideration, learned counsel appearing for the petitioner submitted that the issue arising herein is no longer *res integra* and the same was decided by a Division Bench of this Court in its judgment dated 02.12.2025 ***in W.A.Nos.3213, 3277 and 3678 of 2025, in the case of Union of India, Ministry of Health Care and Family Welfare Vs Sri Rengasamy Educational Trust, represented by its Administrative Officer.*** Accordingly, he prayed for issuance of appropriate orders.

4. Learned Senior Counsel appearing for the 1st respondent, on instructions, would submit that this court may pass similar orders in this writ petition also in terms of the order passed in the Writ Appeals cited *supra*.

5. Heard the learned counsel for the petitioner and the learned Senior counsel appearing for the respondents 1 and 4, learned Government Advocate appearing for the 2nd respondent and the learned counsel appearing for the 3rd respondent and perused the order passed by the Division Bench of this Court dated 02.12.2025 made in W.A.Nos.3213, 3277 and 3678 of 2025, wherein, in paragraph 46, the Honourable Division Bench has held as follows:

“46. In view of the aforesaid discussions and having regard to the



factual matrix and taking into account of the totality of the situation as has been projected in this order, we are inclined to dispose of the writ appeals and writ petition with the following order:

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(i) That insofar as the impugned order passed by the learned Writ Court dated 16.09.2025 is concerned, the two directions given by the learned Single Judge in Paragraph No.19 of the impugned order would sustain and accordingly, it is sustained. For the sake of clarity, we make it clear that, the applications submitted by the existing institutions/writ petitioners in this batch of cases, alone shall be processed by the State authorities, very particularly, Dr.MGR Medical University and necessary orders shall be passed thereon on merits and in accordance with law before 20.12.2025 for the academic year 2025-26.

(ii) It is made clear that if the State authorities/University find that there is any lacuna or deficiencies in the infrastructure and instructional facilities, those applications can be rejected.

(iii) Insofar as the applications made by the existing institutions/writ petitioners for seeking additional intake in the existing course, such applications also be processed by the State Agency/Dr MGR Medical University as we directed in the earlier directions.

(iv) Insofar as the application submitted by any of the writ petitioner institution or educational agency, to start a new institution, the said application shall not be processed by any of the State agencies or the University and such an application can be kept pending until the State Council constituted under the Act is made fully functional after the regulation under section 66 of the Act is made ready in all respects. Till such time, no new institution shall be permitted by any authority of the State including the University.

47. With all these directions, the writ appeals and writ petition are disposed of on the terms indicated above. However, there shall be no order as to costs.....”



6. It is seen that the issue arisen herein in the present writ petition is no longer *res integra* and the similar issue was already decided by the Division Bench of this Court vide its judgment dated 02.12.2025 in **W.A.Nos.3213, 3277 and 3678 of 2025 in the case of Union of India, Ministry of Health Care and Family Welfare Vs Sri Rengasamy Educational Trust, represented by its Administrative Officer.**

7. However, learned counsel appearing for the 3rd respondent/University submitted that subsequent to the abovesaid order passed by the Division Bench of this Court, the 4th respondent/ National Commission for Allied and Healthcare Profession had issued a circular dated 08.04.2026, wherein, in paragraph 4.2, it is stated as follows:

'4.2. Increase in seat intake capacity (minimum/maximum) for existing courses of Allied and Healthcare institutions aligning with the approved curricula is allowed, subject to the following conditions:

4.2.1. Adoption of approved curricula, degree nomenclature, admission eligibility criteria and other common criteria relating to the respective Allied and Healthcare course(s) as approved by NCAHP.

4.2.2. Physical infrastructure, laboratories and faculty requirements are to be aligned with the approved curricula.

4.2.3. Seats intake capacity (minimum/maximum) in



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the course shall align with the approved curricula.

4.2.5 Inspection may be carried out by the state Government/UT/University. The inspection team shall have atleast three members, and out of these, two members shall be expert Allied and Healthcare Professionals of the concerned domain (course), preferably from the State Allied and Healthcare Council (SAHC) Government sector. The institution will keep the details of the inspection report for future verification.'

He would further submit that if the petitioner satisfies condition No.4.2, of the above circular dated 08.04.2026, additional intake will be taken up in terms of the Division Bench judgment, dated 02.12.2025 cited supra.

8. In response, the learned counsel for the petitioner would submit that the communication dated 08.04.2026 will not affect the petitioner's case in terms of the order passed by the Division Bench of this Court, dated 02.12.2025.

9. In view of the above and in view of the consent expressed by the learned counsel for the petitioner and the learned counsel appearing for the 4th respondent/National Commission for Allied and Healthcare Profession, this Writ Petition is disposed of in terms of the similar order passed in



W.A.Nos.3213, 3277 and 3678 of 2025, dated 02.12.2025 in the case of
Union of India, Ministry of Health Care and Family Welfare Vs Sri
Rengasamy Educational Trust, represented by its Administrative
Officer. No costs. Consequently, the connected miscellaneous petitions are closed.

15-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MSR

To

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. MGR Merial University
Represented by its Registrar
69 Anna salai, Guindy,
Chennai 600 032
4. The National commission for Allied and
healthcare profession
Represented by its Secretary,
2nd Floor, Academic block, NIHFV campus
Munirka, New Delhi 110 067



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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
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M.DHANDAPANI J.

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