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W.P.No.33005 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.33005 of 2022

and

W.M.P.Nos.32426 & 34629 of 2022

T.Saminathan

... Petitioner

Vs

1.The Government of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Health and Family Department,
Fort Saint George,
Chennai – 600 009.

2.The Medical Services Recruitment Board,
Represented by its Member Secretary,
7th Floor, DMS Building, 359, Anna Salai,
Teynampet, Chennai – 6000 0006.

3.The Director of Medical Education,
Kilpauk, Chennai – 600 010.

4.The Director of Employment and Training,
Employment Wing, Guindy,
Chennai – 600 032.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue writ of mandamus, directing the respondents to issue Certified Radiological Assistant CRA Course Certificate, which was successfully completed by the petitioner in June, 2011 (Academic Year 2010-2011) within a time frame as fixed by this Court and to pass such further or other orders.



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For Petitioner : Mr.N.Nithianandam
For Respondents : Mr.E.Sundaram for R1, R3 & R4
Mr.R.Murugavel for R2

ORDER

This writ petition is filed for a mandamus to issue the CRA (Certified Radiological Assistant) Course Certificate to the petitioner.

2. The case of the petitioner is that the petitioner was admitted into a private institute i.e., Anbarasu Institute of Medical Science and Research, Tambaram. It is stated that the petitioner underwent the course during the years 2009 – 2010 and 2010 - 2011 and after completing the course, the petitioner did not immediately pass in all the papers. However, passed Paper-II in January, 2012 and completed the course. Thereafter, he is not being awarded the Certificate for the Course.

3. In the counter affidavit filed by the 3rd respondent on behalf of the 1st respondent, it is stated that the upper age limit for admission into the course is only 35 years and the petitioner had crossed the upper age limit on the date of admission itself and therefore, since the admission was irregular, the certificate is not granted. However, perusal of the counter affidavit filed by the respondent, they themselves stated as follows in paragraph no.7:



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“...the petitioner herein and others mentioned in Sl.No.1

to 6 above, have been admitted in the Anbarasu Institute of Medical Science and Research, Tambaram in the academic year 2010-11 at the time of admission they have completed 35 years (i.e) over aged (Date of Birth of the petitioner herein 04.06.1975). However, the Board Members have been decided to issue Certificate for all seven Certificate of Radiological Assistant candidates of Private Para Medical Institution who have been improperly admitted at Anbarasu Institute of Medical Science and Research, Tambaram in 2009-2010 and 2010-2011 registered by Madras Medical College by ratifying their mistake for the same of the future of the students”....

4. It can be seen that the Board Members themselves have decided to condone the irregularity committed by the Institute and to award the certificates. Only because the petitioner did not passed in the year 2011 itself and completed the course in the year 2012, the petitioner seems to have been left out. Once the petitioner has successfully completed the course, written the examination and passed, denial of the certificate merely on the ground of irregularity relating to the upper age limit, especially when the petitioner possesses the basic qualification to undergo the course, would amount to miscarriage of justice. More-so, when the Board themselves have decided to confer Certificates despite such irregularities, especially with a warning to the concerned Educational Institution not to repeat the mistake in future, it is



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evident that the Board has also taken into account the future and career of the students.

5. Considering all the above, this writ petition stands allowed on the following terms:

(i) the 3rd respondent i.e, the Director of Medical Education, Kilpauk, Chennai shall issue the Certificate to the petitioner for the course of Certified Radiological Assistant (CRA) which was completed successfully by the petitioner during the academic years 2010 - 2012 within a period of 12 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

(ii) No costs.

(iii) Connected miscellaneous petitions are closed.

02.01.2026

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Neutral Citation: Yes/No



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D.BHARATHA CHAKRAVARTHY, J.

veda

To

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