



WEB COPY



WA No. 2 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WA No. 2 of 2026

AND

CMP NO. 49 OF 2026

Indian Nursing Council
Through its Secretary
8th Floor, NBCC Centre Plot No. 2,
Community Centre, Okhla Phase - 1,
New Delhi - 110 020

..Appellant

Vs

1. Annai Veilankanni Educational and Cultural Society, Educational Agency
Annai Veilankannis Pharmacy College
Rep by its Chairman
8I/33, V.G.P. Salai
Saidapet, Chennai 015.
2. The Registrar
Tamil Nadu Dr.MGR Medical University,
69 Anna Salai, Guindy, Chennai 32
3. The Pharmacy Council Of India
Rep. By The Secretary Cum Registrar, NBCC
Centre, 3rd Floor, Plot No.2, Community
Centre, Maa Anandamai Marg, Okhla Phase I
New Delhi 110 020
4. The Director Of Medical Education
Directorate Of Medical Education
Campus, Kilpauk
Chennai 10.



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5. The Secretary
Selection Committee,
Directorate Of Medical Education ,
No. 162 Periyar EVR High Road,
Kilpauk Chennai 10
6. Tamil Nadu Private Professional Colleges
Association Health Science (TNPPCA-HS)
A Society Registered Under
Society Registration Act Rep. By
Its Secretary, Prasanna Enclave
1st Floor, No 30 Bharathi
Avenue, Kotturpuram
Chennai 600 085

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the Observations / Remarks made in the Impugned order dt. 15.09.2025 passed in W.P. No. 35235 of 2025.

For Appellant(s):

Mr. M.S.Krishnan, Senior Counsel
For Mr. Deepak Narayanan

For Respondent(s):

Mr. D.Prabhu Mukunth Arun Kumar
For R1.

Mr. M.Sivavarthan
Standing Counsel For R2.

Mrs. M.Sneha
Special Counsel For Health And Family Welfare
Department For R4 And R5.



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JUDGMENT

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The present appeal under Clause XV of the Letters Patent is filed by the sixth respondent in the writ petition assailing the order dated 15.09.2025 passed in W.P.No.35235 of 2025, which came to be disposed of with certain observations.

2. The prayer sought for by the writ petitioner in the writ petition / first respondent in this appeal, was for a direction to the fourth respondent therein to conduct the counselling for paramedical degree courses for government quota seats in self-financing colleges for the academic year 2025-26 from 01.10.2025.

3. The grievance of the appellant is that, in Paragraph 3 of the order the learned Single Judge has made the following observations.

" As rightly pointed out by the learned Senior Counsel, Indian Nursing Council has no authority to grant recognition to the Institutions imparting Nursing courses. When the Indian Nursing Council has no authority for affiliation and recognition, it cannot dictate terms for the counselling to be conducted on such date."



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4. Being aggrieved by the said observations, the appellant is before this Court by way of the present appeal challenging the order of the learned Single Judge, on the ground that, even though the issue did not arise for consideration before the learned Single Judge, he had recorded a finding that the Indian Nursing Council has no authority for affiliation and recognition and it cannot dictate terms for the counselling to be conducted on the specified date.

5. Heard the learned Senior Counsel for the appellant and the learned counsel for the respondents.

6. Learned counsel for the 6th respondent, who has filed the vakalat seeks the leave of this Court to withdraw the vakalat since he has been appointed as the Standing Counsel for Dr.MGR Medical University, which is the second respondent in this case. He is permitted to withdraw the vakalat.

7. While entertaining the writ appeal, this Court has passed the following order on 08.01.2026.

" 5. We do not find that the order of the learned Single Judge takes into consideration the provisions of the Indian



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Nursing Council (Amendment) Regulation, 2022 and in particular, Regulation 76, on which heavy reliance is placed by learned senior counsel for appellant.

6. In that view of the matter, the impugned order, insofar as it declares that the Nursing Council has no authority to dictate terms for the counselling to be conducted on specified date, shall remain stayed in its effect and operation until further orders and we also order that in the matter of conditions for admission to courses and standards of examination, the provisions contained in Regulation 76 of the Indian Nursing Council (Amendment) Regulation, 2022 shall be strictly followed by all concerned.”

8. Learned counsel appearing for the first respondent has conceded that the first respondent has no objection to the expunging of the said observations of the learned Single Judge in Paragraph 3 of the impugned order.

9. In view of the statement made by the learned counsel for the first respondent, the observations made by the learned Single Judge in Paragraph 3 of the order dated 15.09.2025 in W.P.No.35235 of 2025, as stated herein above, are hereby expunged. The remaining part of the order shall remain



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intact. The said order shall be read in conjunction with the order dated 08.01.2026 passed in this writ appeal. We make it clear that we have not gone into the merits of the case.

10. With the above said modification, the writ appeal stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN J.)

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

KST



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To

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Annai Veilankannis Pharmacy College
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