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WP No. 44250 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No. 44250 of 2025

1. Shri Venkateshwara Trust
5th Cross Periyasamy Nagar Fairlands,
Salem 636 016 Rep. by its. Chairman
K.Jayaraman

Petitioner(s)

Vs

1. The State Of Tamilnadu
Rep. by its Principal Secretary to Government, Health
And Family Welfare Department, Secretariat Fort
St.George Chennai 09

2.The Director Of Medical Education And Research
Kilpauk Chennai 10

3.The Joint Director Of Medical Education
Directorate of Medical Education And Research
Kilpauk Chennai 10

Respondent(s)

PRAYER



The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to pass orders granting permission for conducting B.Sc. Nursing Course with an annual intake of 100 students as JSA Nursing College of Medical Sciences at Pali Village, Ulundurpet, Kallakurichi district from the academic session 2025-26 based on the application submitted by the petitioner dated 19.12.2024 duly processed and finalized by the respondents forthwith to enable the petitioner trust to commence the courses in the academic session 2025- 26.

For Petitioner(s): Mr.G.Sankaran, Senior Counsel
for S.Nedunchezhiyan

For Respondent: Mr. E. Sundaram
Government Advocate

ORDER

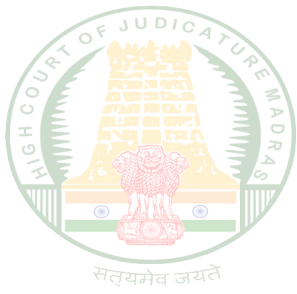
The Writ Petition is filed for directing the respondents to pass orders granting permission for conducting B.Sc Nursing course with an annual intake of 100 students as JSA Nursing College of Medical Sciences at Pali Village, Ulundurpet, Kallakurichi District from the academic session 2025-26 based on the application submitted by the petitioner dated 19.12.2024 duly processed and



finalised by the respondents forthwith to enable the petitioner trust to commence the courses in the academic session 2025-26.

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2. The brief facts are that the petitioner Trust already has the requisite facilities including a 320 bedded hospital so as to commence nursing courses and in that regard has duly as per the procedure, approached the respondents for permission to start the Course.



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3. Mr.G.Sankaran, learned Senior Counsel appearing on behalf of the petitioner would take this Court to the protracted communications that are made. It can be seen that after the application was made on 20.12.2024, on 25.04.2025 as many as 11 queries were raised. Thereafter, a reply was submitted answering the queries. Once again, 10 queries were raised on 28.07.2025 and thereafter, a reply was submitted answering the said queries. Thereafter, on 01.08.2025, 5 queries were raised. Again on 05.08.2025, answers were submitted in respect of each and every one of the 5 queries. Thereafter, on 06.08.2025, once again, it was instructed to submit a declaration on the hospital bed occupancy and the same was also submitted on 07.08.2025. Thereafter once again on 15.08.2025, 10 queries were raised. Thereafter, on 10.09.2025, another query was raised. Every time the petitioner kept on submitting the relevant documents. Under the said circumstances, by giving a heading “Government final query raised”, a query was raised on 25.10.2025 directing the petitioner to furnish a fresh Solvency Certificate from the Nationalised Bank for a sum of

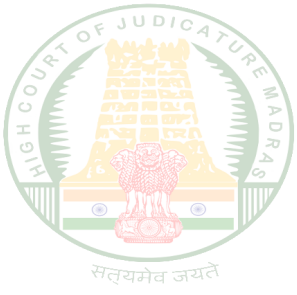


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Rs.30,00,000/-, and the same was also furnished. Even thereafter, the matter was kept pending and therefore, the present Writ Petition has been filed.

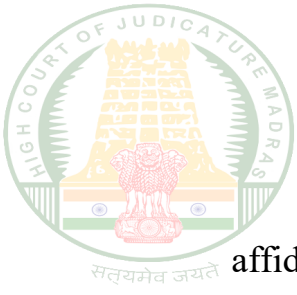
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4. Pursuant to the earlier interim directions by this Court, a position note is now filed by the respondents. This Court also directed the petitioner to file their response with reference to position note and in response thereof, an affidavit also filed by the petitioner. On a perusal of the position note, it is now stated that the infrastructure presented by the Trust is insufficient as per the requirements and the certain other facilities are also stated as not adequate. In this regard, the position note does not spell out as to what aspects of the infrastructure is insufficient or what aspects of the equipment, library, transport, teaching staff, clinical facilities, are not adequate.

5. This Court considers the repeated queries that are raised and the answers that are made also. When the petitioner has been complying with the queries, the respondents should not also internally protract the proceedings by raising new queries one after the other. After considering the entire facts and circumstances, this Writ Petition is disposed of on the following terms:-



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(1) The position note submitted before this Court and the affidavit that is filed by the respondent, shall be considered by the authorities. Thereafter, a communication shall be sent to the petitioner Trust, if any other shortages exist, pointing out with reference to the infrastructure as well as with reference to the other facilities, highlighting the specific insufficiency or inadequacy thereof.

(2) The petitioner can submit the necessary documents or even show necessary compliance and appear before the authorities on 15.12.2025 by way of a personal hearing also. Within one week thereafter, a final order shall be passed afresh with reference to the application. There shall be no order as to costs.

02-12-2025

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Speaking order

Internet : Yes

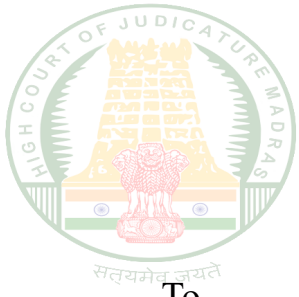
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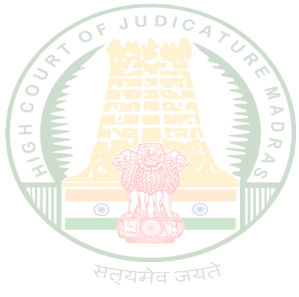
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To
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1. The Principal Secretary To Government,
Health And Family Welfare Department,
Secretariat Fort St.George Chennai 09
- 2.The Director Of Medical Education And
Research
Kilpauk Chennai 10
- 3.The Joint Director Of Medical Education
Directorate Of Medical Education And Research
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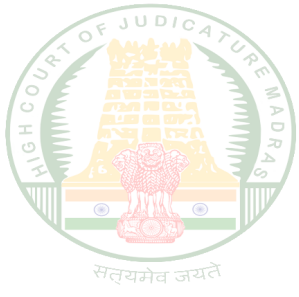
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D. BHARATHA CHAKRAVARTHY, J.

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