

V.ARULKUMAR Vs The State Rep by

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Court : Chennai

Decided On : Feb-16-2026

Judge : Honourable Mr Justice M.Dhandapani

Appeal No. : WP/5751/2026

Appellant : V.Arulkumar

Respondent : The State Rep by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI 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/O.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, Page1 of 9 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 Page2 of 9 No.56, Santhome High Road Mylapore chennai-4

5. The Registrar Indira Gandhi National open university Maidhan Garhi New Delhi

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

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

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

9. C.Murugan

Nursing Tutor Grade -II, Kanyakumari 10.S.Victoria Page3 of 9 Nursing Tutor Grade - 11, Cuddalore 11.S.V.Mayadevi Nursing Tutor Grade- II, Tirupur 12.P.Nagarajan Nursing Tutor Grade - II, 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 Page4 of 9 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. Page5 of 9

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 Page7 of 9

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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