

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.Nos.14548 and 14416 of 2015
and
M.P.Nos.1,1 and 2,2 of 2015

W.P.No.14548 of 2015

PMM Educational Trust
Rep. by its Chairman,
No.73 Nainiappa naicken Street,
Chennai-600003.... Petitioner

- Vs -

- 1.The All India Council for Technical Education
Rep. by its Member Secretary,
7th Floor, Chandralok Building,
Janpath, New Delhi 110 001.
2. The Southern Regional Officer,
Southern Regional Office
All India Council for Technical Education,
26 Haddows Road, Shastri Bhavan,
Chennai 600 006.
3. The Commissioner of Technical Education,
Guindy, Chennai.Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for the records of the Respondents, ending with the order of the 1st Respondent dated 15.04.2015 down-loaded from the website of the 1st Respondent on 30.04.2015 and quash the same and consequently direct the Respondents 1 and 2 to grant approval to the petitioner to start "PMM Polytechnic College, Nadagapatti Village, Thogamalai Post, Kulithalai Taluk, Karur District" from the academic year 2015-2016.

W.P.No.14416 of 2015

Neravy Saiva Sithananda Pullavar
So.Soupramanien Pillai Educational & Social Trust
Rep. by its Chief Executive Officer,
Thiruvillaiyattam,
Tharangambadi (TK)
Nagapattinam District-609 306.

... Petitioner

- Vs -

- 1.The All India Council for Technical Education
Rep. by its Member Secretary/Acting Chairman,
7th Floor, Chandralok Building,
Janpath, New Delhi 110 001.
2. The Southern Regional Officer,
Southern Regional Office
All India Council for Technical Education,
26 Haddows Road, Shastri Bhavan,
Chennai 600 006.
3. The Commissioner of Technical Education,
Guindy, Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for the records of the Respondents, ending with the order of the 1st Respondent down-loaded from the website of the 1st Respondent in F.No.Southern/2015/1-2516829541 LOR dated 30.04.2015 downloaded on 04.05.2015 and quash the same and consequently direct the Respondents 1 and 2 to grant approval to the petitioner to start "Vasanth Murugu Polytechnic College, Nalladai Main Road, Echangudi Village, Tharangambadi Taluk, Nagapattinam District" for the academic year 2015-2016.

For Petitioner
(in both W.P.'s)

: Mr.K.Doraisamy
Senior counsel
for Mr.Muthumani Doraisami

For Respondents
(in both W.P.'s)

: Ms.AL.Gandhimathi (R1 and R2)
Mr.P.Sanjai Gandhi (R3)
Additional Government Pleader

C O M M O N O R D E R

Heard both sides.

2. It appears, in both these cases the request made by the petitioners to start polytechnic institution for the academic year 2015-2016 was rejected by the original authority, by an order dated 07.04.2015, pointing out certain defects. The petitioners submitted a compliance report before the Standing Appellate Committee on 15.04.2015. The Appellate Committee by an order dated 30.04.2015 has rejected the appeal of the petitioners.

4. The learned senior counsel appearing for the petitioners has submitted that the orders are being passed in the last hour and because of that the petitioners are losing application fee of Rs.5,00,000/- as they cannot either rectify or challenge it in the manner known to law.

5. As the period fixed is elapsed unfortunately this Court cannot pass any appropriate order. However, this Court finds force in the submission made by the learned senior counsel for the petitioners. The original authority ought to have processed and passed final orders within reasonable time after giving some breathing time to the petitioners either to rectify or challenge it as per law. Admittedly, in the case on hand the original authority passed an order on 07.04.2015. As in the case of earlier year, the appellate authority passed an order on 30.04.2015 which is the last date.

6. In view of the same, these Writ Petitions are disposed of by directing the respondents to pass appropriate orders in the future applications to be filed by the petitioners in the month of February 2016 on or before 15.03.2016. This compliance would take care of the grievance of the petitioners. The petitioners are also directed to make their applications at the earliest preferably in the month of February 2016 so as to enable the respondents to pass appropriate final orders. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar(CSII)

/true copy/

Sub Asst. Registrar

To

1.The All India Council for Technical Education
Rep. by its Member Secretary,
7th Floor, Chandralok Building,
Janpath, New Delhi 110 001.

2. The Southern Regional Officer,
Southern Regional Office
All India Council for Technical Education,
26 Haddows Road, ShastriBhavan,
Chennai 600 006.

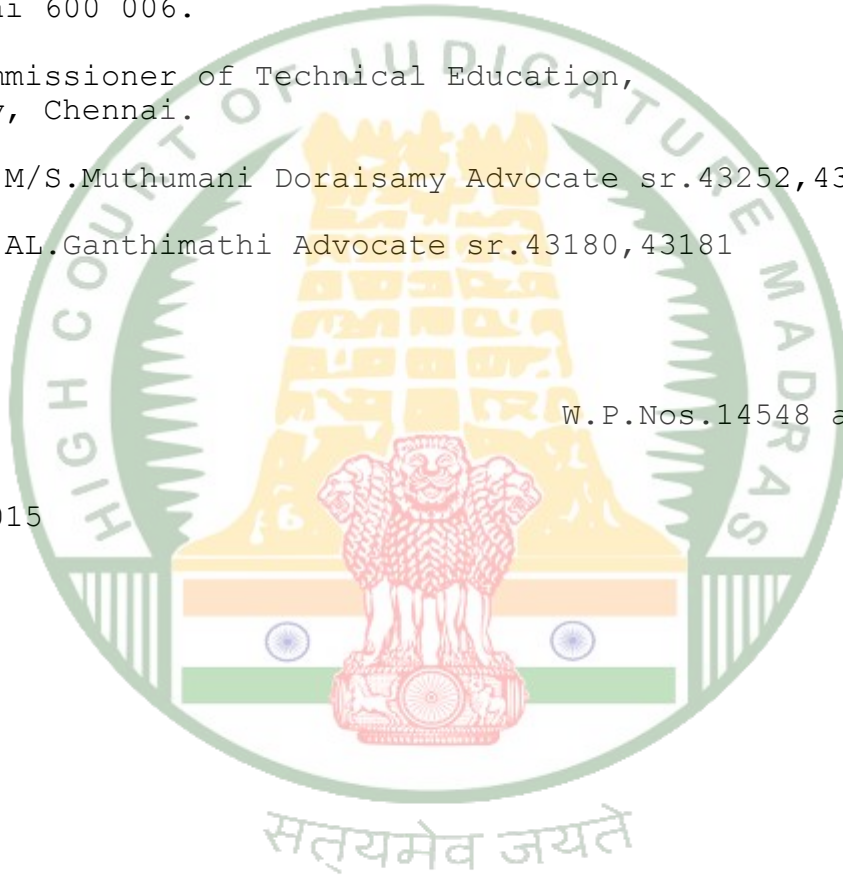
3. The Commissioner of Technical Education,
Guindy, Chennai.

+2 ccs to M/S.Muthumani Doraisamy Advocate sr.43252,43253

+2 ccs to AL.Ganthimathi Advocate sr.43180,43181

W.P.Nos.14548 and 14416 of 2015

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