

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.19374 of 2015
and M.P.No.1 of 2015

Veerah Educational Trust
Rep by its Secretary Mr.K.Muthukumar .. Petitioner

Vs.

1.The Registrar,
Anna University,
Chennai-600 025.

2.The Chairman,
All India Council for Technical Education,
7th Floor, Chandralok Building,
Janpath, New Delhi-110 001. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 26.05.2015 vide Ir.No.298A/New College/AU/2015 passed by the first respondent herein and quash the same and consequently direct the first respondent to grant affiliation to the petitioner's institution, namely "Spectrum College of Technology, Ayyampudur, Kolathur Post, Mettur Taluk, Salem District.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.M.Vijayakumar for R1
Mrs.A.L.Gandhimathi for R2

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner Trust runs educational institution under the name and style of "Spectrum College of Technology" at Ayyampudur Village, Kolathur Post, Mettur Taluk, Salem District and it filed an application for grant of approval to the second respondent, who in-turn, vide letter dated 30.04.2015, has issued letter of approval in terms of the provisions of All India Council for Technical Education (Grant of Approvals for Technical Institution) Regulation, 2012, to conduct the courses, namely Electronics and Communication Engineering, Mechanical Engineering, Electrical and

Electronics Engineering, Computer Science Engineering, Civil Engineering with intake of 300 students for the academic year 2015-16 and one of the conditions is that the petitioner institution shall obtain approval from the concerned affiliating University, namely the first respondent and such application shall be filed on or before 31st May of that particular year. The petitioner, submitted an application dated 08.05.2015 to the first respondent for grant of affiliation and it was rejected on the ground that it was received only on 26.05.2015 and the completion of the affiliation process ended on 10th April of the relevant year. The petitioner, challenging the legality of the same, has filed this writ petition.

3. Heard the submissions of Mr.D.Baskar, learned counsel appearing for the petitioner and Mr.M.Vijayakumar, learned Standing Counsel appearing for the first respondent, who, on written instructions, would submit that the petitioner did not submit any application for affiliation in the prescribed format for the academic year 2015-2016 and the prescribed deadline fixed by the Hon'ble Supreme Court of India is as early as on 15.05.2015 and consequently, the University is not in a position to inspect the college to verify the fulfillment of statutory requirements, academic and other infrastructural requirements.

4. In response to the said submission, the learned counsel appearing for the petitioner would submit that the petitioner may be permitted to submit application for affiliation atleast for the next academic year viz., 2016-2017 and the first respondent may be directed to consider the same in accordance with law.

5. In the light of the above said submission and taking into consideration the facts and circumstances, this writ petition is disposed of by permitting the petitioner to submit application for affiliation to the first respondent University, complete in all respects for the academic year 2016-2017 and the first respondent, on receipt of the same, shall consider the same and pass orders in accordance with law on or before the stipulated time prescribed by the Hon'ble Supreme Court of India in Civil Appeal No.9047 and 9048 of 2012 dated 13.12.2012. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

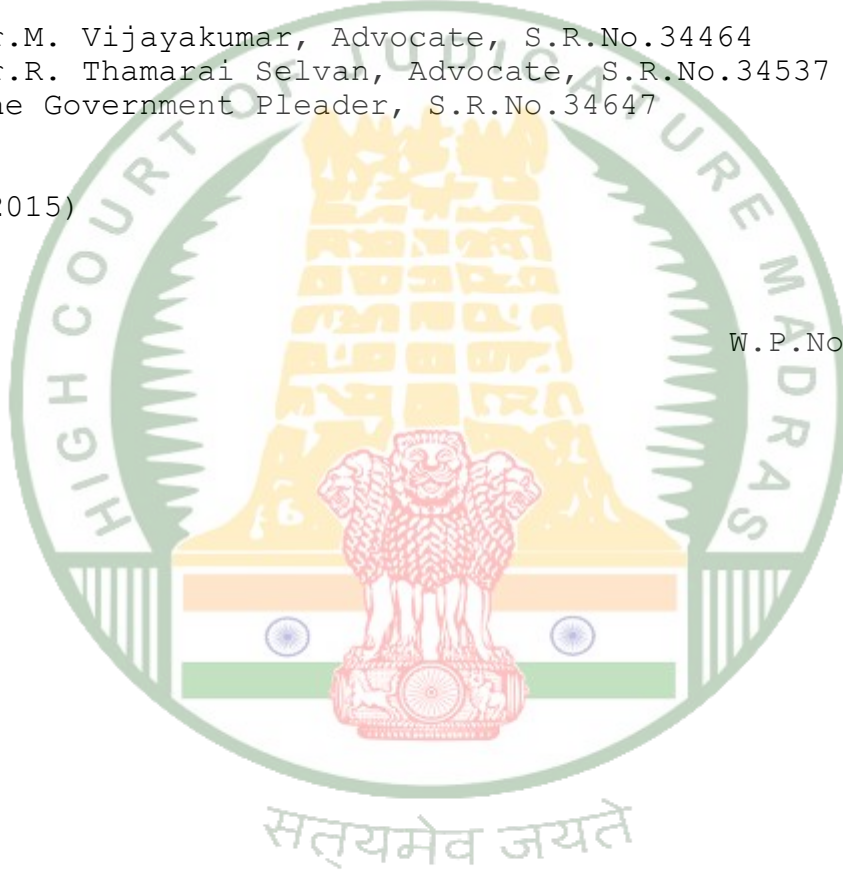
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+lcc to Mr.M. Vijayakumar, Advocate, S.R.No.34464
+lcc to Mr.R. Thamarai Selvan, Advocate, S.R.No.34537
+lcc to the Government Pleader, S.R.No.34647

JSV(CO)
EU(22/07/2015)

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