

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.25501 of 2015
and M.P.No.1 of 2015

Pennai College of Engineering and Technology,
represented by its Chairman,
Karthikeyan,
Sivaganga District.

... Petitioner

Vs.

1. The Registrar,
Anna University,
Chennai - 600 025,
2. The Director,
Centre for Affiliation of Institution,
Anna University,
Chennai - 600 025.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus to call for records in Letter No.275/CAI-Deficit Colleges/AU/15 dated 15.05.2015 on the file of the 1st respondent and quash the same as illegal, arbitrary and an error on the face of the record and direct the respondent to give affiliation to the petitioner College as per the sanctioned intake granted by AICTE dated 7.4.2015 for the academic year 2015-2016.

For Petitioner : Mr.A.Thiagarajan,
Senior Counsel
for Mr.S.Ramesh Kumar

For Respondents : ***Mr.M.Vijayakumar**

ORDER

Challenge is made to the order dated 15.5.2015 passed by the 1st respondent by which the intake sanctioned for certain courses is reduced as per the criteria and norms evolved for the academic year 2015-2016.

2. Learned Senior Counsel appearing for the petitioner submitted that the compliance report submitted by the petitioner has not been looked into and the order impugned does not indicate acceptable reasons for reducing the intake when the deficiencies have been rectified by the petitioner. The nature of deficiencies are also not

pointed out in the order impugned.

3. Learned counsel appearing for the respondent Anna University produced a communication in Lr.No.415/CAI/AU/2015 dated 22.8.2015 stating that relevant materials have been looked into before passing the impugned order and any subsequent compliance by the petitioner will have to be considered only for the next academic year, since the Apex Court in Civil Appeal Petition Nos.9047 and 9048 of 2012 dated 13.12.2002 has fixed the deadline for the University to complete the affiliation process for all the institutions by 15th May of the relevant year.

4. As a dead line has been fixed by the Apex Court, this Court is unable to proceed further. However, it appears that in the impugned order dated 15.5.2015, the compliance said to have been made by the petitioner has not been considered and the nature of deficiencies has not been pointed out. It is the specific case of the petitioner that compliance has been made in respect of all the deficiencies pointed out.

5. In the above circumstances, the respondent University is directed to make inspection of the petitioner institution and satisfy whether compliance has been made with respect to the deficiencies pointed out earlier for the purpose of maintaining the sanctioned intake for the next academic year 2016-2017. The said exercise will have to be done by the respondents within a period of eight weeks from the date of receipt of copy of this order.

6. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

Dated : 07.04.2015

***Corrected as per order of this
court dated 18.09.2015 and made
in W.P.No.25501 of 2015**

Sd/- Assistant Registrar (CS-IV)

Dated : 28.09.2015

True Copy

Sub Assistant Registrar

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To

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

To be substituted to the order
already despatched on 08.09.2015

2. The Director,
Centre for Affiliation of Institution,
Anna University,
Chennai - 600 025.

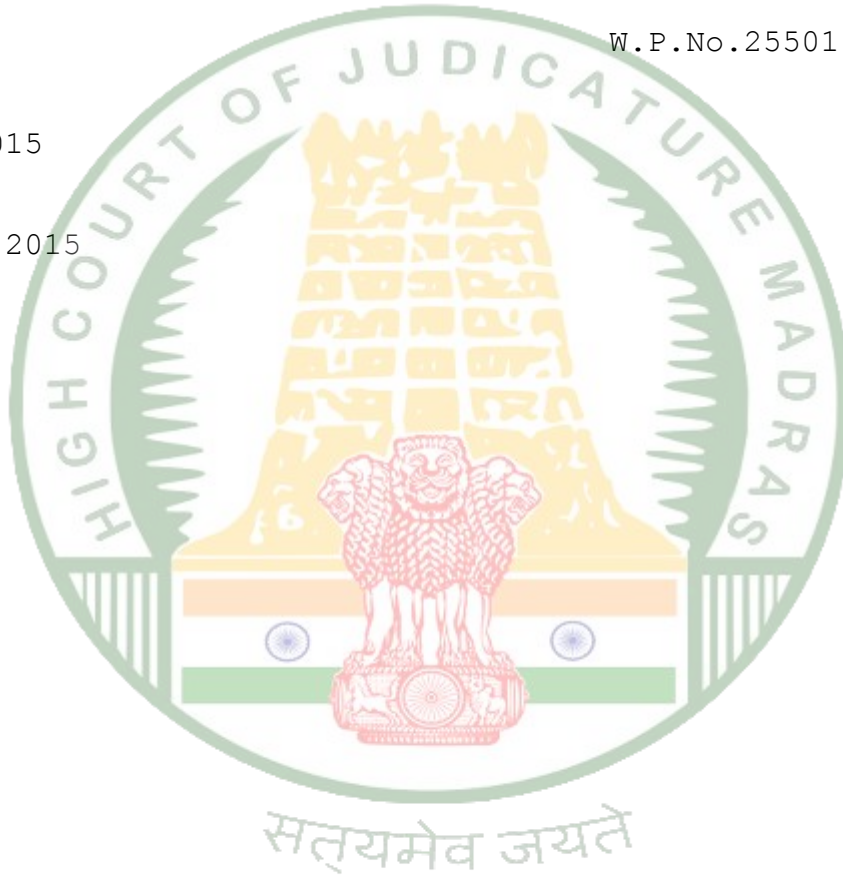
1 cc to Mr..S.Ramesh Kumar , Advocate Sr.No.47685

+1 cc to M/s.Vijayakumar, Advocate, sr. 51185

W.P.No.25501 of 2015

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JSV [CO]
PSI 28.09.2015



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