

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.5190 of 2015

Amutha Educational Trust
represented by its Chairman
and Managing Trustee
B.Balakrishnan
A.90 Anna Nagar, Chennai-600 102

... Petitioner

vs.

1.The Principal Secretary
Department of Higher Education
Government of Tamil Nadu
Fort St.George, Chennai-9

2.The Director of Collegiate Education
Egmore, Chennai-6

3.The Registrar,
Madras University
Chepauk, Chennai-5

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents 1 and 2 to process the application submitted by the petitioner dated 28.09.2013 for opening of an unaided private Arts and Science College and grant permission within a stipulated period and direct the third respondent to grant affiliation to the petitioner college within a stipulated period by processing the application dated 30.09.2013.

For Petitioner : Mr.S.Natarajan
For Respondents : Mr.R.Vijayakumar, AGP

O R D E R

Petitioner is a educational trust which is an established Arts and Science College under the name and style of Rajeswari College of Arts and Science which is a co-educational institution and un-aided private college.

2. Though several averments have been made in the affidavit filed in support of the writ petition and elaborate counter has been filed by the Director of collegiate education. The only issue which calls for consideration is that the application given by the petitioner has been considered by the respondent or has been kept pending for certain compliance.

3. On the last hearing date, learned Additional Government Pleader produced a written communication from the Director of Collegiate Education dated 09.03.2015, wherein it is stated that Directorate of Collegiate Education is awaiting the report from the Revenue Authority and has also sent a reminder to the District Revenue officer on 23.10.2014. Further, he submitted that as and when the report has been received from the said authority the application of the petitioner will be considered and sent to the Government to take further action in the matter. In order to ascertain whether the Revenue official have submitted their report the matter was adjourned. Today, the learned Additional Government Pleader submitted that the Revenue Divisional Officer, Ponneri, submitted a report to the District Collector dated 14.01.2015, in proceedings Na.Ka.No.120/2015/A1. The petitioner has produced a copy of the report and the same has been filed in the additional typed set of papers along with the report the copies of the document, sketch of property etc., have been enclosed and forwarded to the District Collector, Tiruvallur. Since the report is now in the hands of the District Collector, Tiruvallur, there will be a direction to the District Collector, Tiruvallur to consider the request and pass appropriate orders and forward the same to the second respondent as expeditiously as possible, preferably within a period of three weeks from the date of receipt of a copy of this order. On receipt of the report, the second respondent shall consider the petitioner's application along with the report submitted by the District Collector, Tiruvallur and all the records and after affording an opportunity of personal hearing to the petitioner, and shall submit a report to the first respondent within a period of three weeks thereafter.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kpr

To

1.The Principal Secretary
Department of Higher Education
Government of Tamil Nadu
Fort St.George, Chennai-9

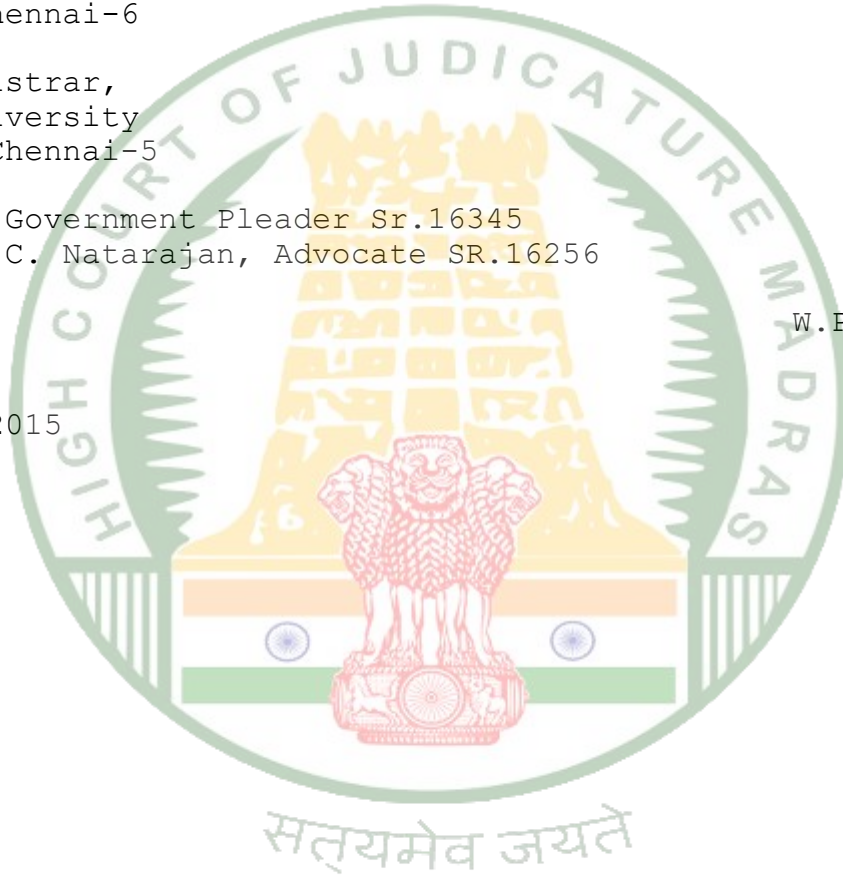
2.The Director of Collegiate Education
Egmore, Chennai-6

3.The Registrar,
Madras University
Chepauk, Chennai-5

+ 1 cc to Government Pleader Sr.16345
+ 1 cc to C. Natarajan, Advocate SR.16256

W.P.No.5190 of 2015

KM(CO)
Eu 25.03.2015



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