

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27346 of 2016
and WMP.Nos.23548 and 23549 of 2016

Park Maritime Academy
rep. by its Chairman Dr.P.V.Ravi,
NH-47, Avinashi Road,
Kaniyur (PO),
Coimbatore-641 659. ... Petitioner
vs.

The Registrar,
Indian Maritime University,
(Central University, Government of India),
East Coast Road, Uthandi,
Chennai-600 119. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to permit the petitioner to admit students on their own choice as per the norms prescribed for B.Tech (M.E.) by University or in the alternative direct the respondent to conduct fresh CET (Supple) 2016.

For Petitioner : Mr.P.R.Balasubramanian

For Respondent : Mr.K.R.Tamizh Mani

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner, in the affidavit filed in support of this writ petition, would aver among other things that their college is affiliated to the respondent University for B.Tech Maritime Engineering Course with annual intake of 40 seats. The petitioner would claim that they are having sufficient infrastructural facilities and original counseling process was done by them for admission of students to affiliated colleges also and all of a sudden, the respondent issued a circular dated 01.06.2016 for the academic session 2016-2017 stating that Online Counseling will be limited only to Indian Maritime University's own Campus and the affiliated colleges, which are

private self-financing colleges, shall make their own arrangement subject to IMU Common Entrance Test and fulfilling other eligibility criteria. The grievance expressed by the petitioner is that though the petitioner institution is having annual intake of 40 seats, only few students get admitted and in the event of second counseling conducted, there may be chance of more students getting admission and hence, came forward with this writ petition.

3. The learned counsel appearing for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that in the light of change of policy decision, affiliated colleges like the petitioner institution are put to grave hardship and in the event of second counseling being ordered to be conducted by this Court, more students may get admitted and get further benefits and therefore, appropriate directions may be issued to the respondent University to conduct second counseling.

4. Per contra, Mr.K.R.Tamizh Mani, learned Standing Counsel appearing for the respondent University would contend that no doubt on an earlier occasion, counseling process was done even for affiliated colleges also and there was a change of policy in the form of Circular, in and by which the said process is restricted to admission to IMU's campus alone and if it for the respective private institutions to get students admitted into their institution. It is the further submission of the learned Standing Counsel for the respondent that if the institute is having sufficient infrastructure and other facilities, then students automatically will try to get admission in those institute only and prays for appropriate orders.

5. This Court has considered the rival submissions and perused the materials placed before it.

6. The respondent has issued a Circular dated 01.06.2016 restricting the Online Counseling for the academic session 2016-17 to the seats in Indian Maritime University's Campus only and reason has also been assigned as to the taking of such policy decision in the circular and admittedly, the said circular has not been put to challenge by the petitioner institution. In the considered opinion of the Court, the above said circular is only a policy decision and it cannot be lightly interfered with by this Court, unless the petitioner alleges arbitrariness in exercise of power or malafide on the part of the respondent and admittedly the petitioner did not allege so. Therefore, this Court is of the considered view that the prayer sought for by the petitioner cannot be granted.

7. In the result, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.
jvm

-s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

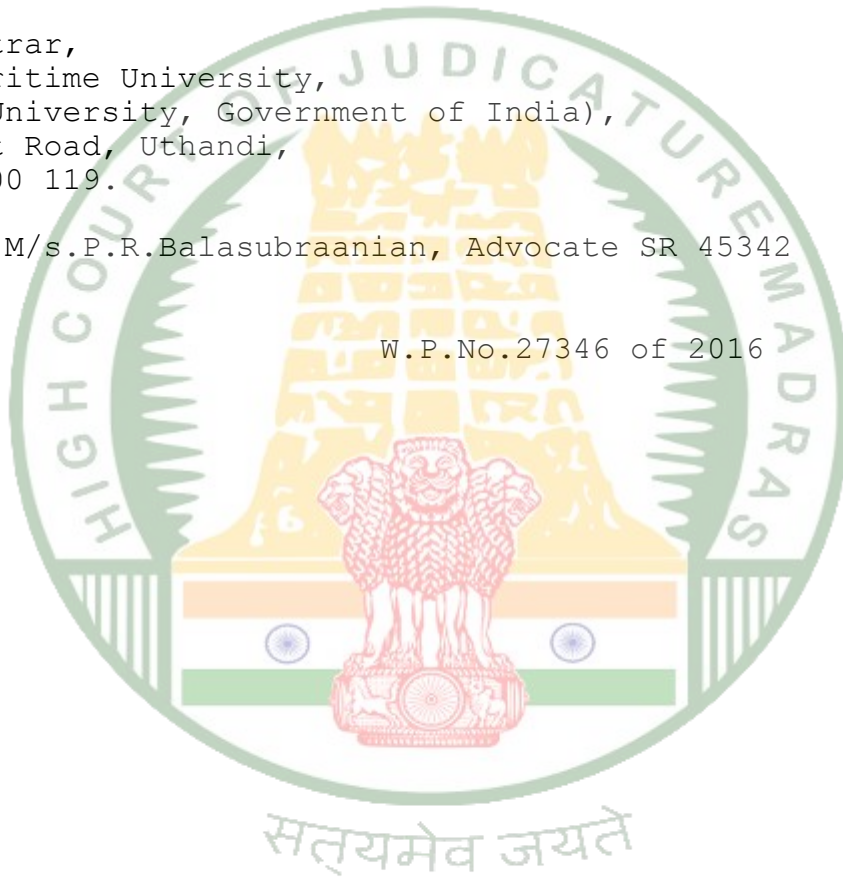
To

The Registrar,
Indian Maritime University,
(Central University, Government of India),
East Coast Road, Uthandi,
Chennai-600 119.

+ 1 cc to M/s.P.R.Balasubraanian, Advocate SR 45342

rsi(co)
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