

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2016

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THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. No.35762 of 2016 and
W.M.P. No.30718 of 2016

GRT Institute of Engineering and Technology,
rep. by its Managing Trustee G.Rajendran [Petitioner]

Vs

1. The All India Council for
Technical Education,
rep. by its Director (Approval Bureau),
7th Floor, Chanderlok Building,
Janpath, New Delhi - 110 001.

2.The Regional Officer,
Southern Regional Office (AICTE),
No.26, Haddows Road,
Sahstri Bhawan,
Chennai-600 006.

3.Anna University,
rep. by its Registrar/Director,
Center for Affiliation of Institutions,
Anna University, Guindy,
Chennai 600 025.

4.The Commissioner of Technical Education,
Sardar Patel Road, Guindy,
Chennai-600 025. [Respondents]

Prayer: Writ petition is filed under Article 226 of Constitution of India, seeking a writ of certiorarified mandamus calling for the records of the first respondent bearing File No.Southern/1-22710593/2014-15/AB dated 09.03.2016 of the first respondent and bearing Letter No.067/CAI/AU/2014 dated 11.02.2014 of the third respondent and quash the same and consequently direct the respondents to effect change of name of Trust as "GRT Mahalakshmi Educational Charitable Trust" instead of "Sola Raju Dhanuskodi Thai Ammal Memorial Educational Charitable Trust" in all their official records, website henceforth.

For Petitioner : Mr.S.Udayakumar

For Respondents : Mr.A.R.L.Sundaresan
Senior Counsel for R1 and R2

O R D E R

The prayer in the writ petition is for the issuance of a writ of certiorarified mandamus calling for the records of the first respondent bearing File No.Southern/1-22710593/2014-15/AB dated 09.03.2016 of the first respondent and bearing Letter No.067/CAI/AU/2014 dated 11.02.2014 of the third respondent and quash the same and consequently direct the respondents to effect change of name of Trust as "GRT Mahalakshmi Educational Charitable Trust" instead of "Sola Raju Dhanuskodi Thai Ammal Memorial Educational Charitable Trust" in all their official records, website henceforth.

2.It is the case of the petitioner that he is the Managing Trustee of GRT Mahalakshmi Educational Charitable Trust. One Sola Raju Dhanuskodi Raja Thai Ammal Memorial Educational Charitable Trust (hereinafter referred to as 'the Trust') runs Engineering College in the name of BKR College of Engineering and Technology at Tiruttani and the first respondent has granted approval for B.E. courses. Subsequently, a supplemental deed of Trust was executed by the Trust from 29.07.2010 and the same was executed on 14.10.2010 and registered as Document No.645/2010. Thereafter, the Trust Deed was amended by Deed of Amendment dated 09.05.2011 and registered as Document No.365/2011. In the said Deed, it is unanimously resolved the change of existing name of the Trust Sola Raju Dhanuskodi Thai Ammal Memorial Educational Charitable Trust into the name of "GRT Mahalakshmi Educational Charitable Trust". By virtue of the said amendment of Trust Deed, the name of the Trust is called "GRT Mahalakshmi Educational Charitable Trust". The change of name has been effected in the Tamil Nadu Government Gazette dated 15.06.2011. After changing the Trustees by Managing Trustee, a resolution has been passed to change the name of the Colleges and the name of the Trust. In this connection, the petitioner requested the All India Council for Technical Education/first respondent herein to effect the name change of the Trust. But the first respondent herein has sent the above impugned order dated 09.03.2016 stating that the change of the name of the Trust cannot be acceded to. Similarly Anna University/third respondent herein also has stated that no procedure has been evolved for change of name of Trust. Hence, the petitioner is before this Court.

3.When the matter is taken up, learned counsel for respondents 1 and 2 by relying upon the counter affidavit filed, would submit that as per the Approval Process Hand Book of AICTE, the Trust now cannot be changed and the same can continue as it is and if there is any change of Trust, they may apply for the change in the name of the Trust for the next academic year and provision can be made along with the extension of approval in the forthcoming academic year.

4. Heard the learned counsel for the petitioner as well as the learned Senior Counsel for R1 and R2.

5.Having regard to the submissions made on either side and considering the fact that the respondents have agreed that they would consider the name change in the next academic year and also the fact that the name change has already been approved by the AICTE itself, the first respondent is directed to consider and pass orders on the name transfer application atleast considering for the next academic year as per their statement in the counter without fail, within a period of two months from now.

6.With the above direction, this writ petition is disposed of. Consequently, connected W.M.P. is closed. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1. The Director (Approval Bureau),
All India Council for
Technical Education,

7th Floor, Chanderlok Building,
Janpath, New Delhi - 110 001.

2.The Regional Officer,
Southern Regional Office (AICTE),
No.26, Haddows Road,
Sahstri Bhawan,
Chennai-600 006.

1 cc to M/s.A.L. Gandhimathi, Advocate, Sr. 70844

1 cc to Mr.S. Udayakumar, Advocate, Sr. 70320

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W.P.No.35762 of 2016

MV (CO)

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