



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 25.11.2016  
CORAM:

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**

WEB COPY

**Writ Petition (MD) No.22682 of 2016**  
**and**  
**W.M.P. (MD) .Nos.16238 to 16240 of 2016**

THE BEST INDUSTRIAL SCHOOL OF  
CATERING TECHNOLOGY AND HOTEL MANAGEMENT  
REP. BY ITS CORRESPONDENT MR.S.MURUGESAN  
NO. 17 COLLECTOR MURUGAVEL NAGAR,  
MADHAKOTTAI.

... Petitioner

Vs.

1.THE DIRECTOR  
DEPARTMENT OF EMPLOYMENT AND TRAINING  
GUINDY CHENNAI - 600 032.

2.THE REGIONAL JOINT DIRECTOR  
DEPARTMENT OF EMPLOYMENT AND TRAINING  
TRICHY -20.

3.THE BLOCK HEALTH SUPERVISOR  
GOVERNMENT PRIMARY HEALTH CENTRE,  
VALLAM  
THANJAVUR DISTRICT.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order of the first respondent vide Na.Ka.No. 14858/Thopa 1/2016 dated 26.09.2016, quash the same and further direct the first respondent to grant the approval cum recognition to the petitioner industrial school.

|                 |                                        |
|-----------------|----------------------------------------|
| For Petitioner  | : Mr.S.Govindaraman                    |
| For Respondents | : Mr.K.P.Krishnadoss<br>Govt. Advocate |

**ORDER**

Challenging the order passed by the first respondent, rejecting the petitioner's application, seeking renewal of recognition of his Catering School of Technology and Hotel Management, on the ground that the petitioner did not submit a Sanitary Certificate, the writ petition has been filed.



2. According to the petitioner, the petitioner commenced his institution, during the year 2004, after obtaining due recognition and approval from the first respondent/ Director, Department of Employment and Training, Guindy, Chennai and that recognition has to be renewed once in five years, after appropriate inspection. On 27.04.2016, he submitted an application for renewal in the first respondent's Office along with required certificates. According to him, he, inadvertently enclosed the sanitary certificate obtained for the year 2015-2016, which was valid upto April 2016. In this regard, he made a request cum representation to the third respondent. On 27.07.2016, the third respondent issued the sanitary certificate for the year 2016-2017 and on the same day itself, the petitioner has sent the sanitary Certificate for the current year to the second respondent. But, without considering the same, the first respondent passed the impugned order, dated 26.09.2016, rejecting the application for renewal of his institution. Hence, as against the said order, the petitioner has filed the present writ petition.

3. The learned counsel for the petitioner submitted that on the date of inspection, the petitioner produced all the certificates including the sanitary certificate. But, while applying for renewal, the petitioner has enclosed the sanitary certificate issued in the year 2015-2016. But, at the time of inspection, the petitioner informed the first respondent that he had already obtained a fresh sanitary certificate, subsequently, after inspection, he produced the certificate before the first respondent. But, without considering the same, the first respondent has mechanically rejected the application on the ground that sanitary certificate for the current year has not been enclosed.

4. The learned Government Advocate appearing for the respondents contended that at the time of inspection, the petitioner did not produce the sanitary certificate for the current year. In the said circumstances, the order has been passed.

5. Taking into consideration of the fact that the petitioner has already obtained a sanitary certificate, dated 27.07.2016 from the competent Health Supervisor and produced the same before the first respondent, this court is of the view that the first respondent, taking into consideration of the said certificate, could have passed a fresh order.

6. In view of the above, the impugned order passed by the first respondent, dated 26.09.2016 is set aside and the first respondent is directed to consider the application for renewal afresh, taking into consideration of the sanitary certificate already submitted by the petitioner and pass suitable orders



within a period of two weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1. THE DIRECTOR  
DEPARTMENT OF EMPLOYMENT AND TRAINING  
GUINDY CHENNAI - 600 032.

2. THE REGIONAL JOINT DIRECTOR  
DEPARTMENT OF EMPLOYMENT AND TRAINING  
TRICHY -20.

3. THE BLOCK HEALTH SUPERVISOR  
GOVERNMENT PRIMARY HEALTH CENTRE,  
VALLAM  
THANJAVUR DISTRICT.

+1 cc to Mr.S.Govindaraman, SR No:72548

vs

AES/3p/5c/10.01.2017

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