

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2017

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.7601 of 2017

Amritha Industrial Training School

Rep by its Correspondent

Annai Sathya Nagar

Madathukulam 642 113

Madathukulam Taluk,

Tiruppur District

... Petitioner

--Vs--

1. The Director of Employment and Training
Guindy, Chennai 32

2. The Regional Joint Director (Training)
Coimbatore Region,
Mettupalayam Road,
Coimbatore

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the orders of the first respondent in Na.Ka.No.11286/Tho.Pa1/2015 dated 06.01.2017 and quash the same and consequently direct the respondents to renew the recognition of the petitioner-Industrial School from the academic year 2016-2017.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.V. Anandhamurthy
Additional Government Pleader

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O R D E R

Challenging the order passed by the first Respondent in Na.Ka.No.11286/Tho.Pa1/2015 dated 06.01.2015 refusing to renew the recognition of the petitioner-Industrial Training School from the academic year 2016-2017, the present Writ Petition came to be filed.

2. The petitioner is an Industrial Training School established in Tiruppur District from the academic year 2015-2016. The only course/trade, the petitioner intended to start and run is "Cutting and Tailoring", for which, an application was made in the month of March 2015 for the academic year 2015-2016. It is stated that the inspection was conducted before the commencement of academic year 2015-2016 but no order was passed. The second respondent passed orders only on 22.01.2016 granting temporary recognition for one year retrospectively with effect from 01.07.2015 to 30.06.2016. The said recognition granted by the first respondent was valid upto 30.06.2016. Therefore, the petitioner-School made an application for renewal of recognition within the time stipulated by the respondents. The petitioner was informed to make application on or before 30.04.2016. It is stated that as per the norms, the petitioner-School should possess the Building Structural Stability Certificate, Public Building License and Sanitary Certificate. It is further stated by the learned counsel for the petitioner that for renewal of recognition, the respondents need not insist the same every year afresh. The respondents have also verified the same during the inspection held in the last week of June 2016. However, long after the inspection, the first respondent sent a communication dated 06.01.2017 pointing out two deficiencies viz (i) photographs relating to tools and equipments were not taken visibly and (ii) Photographs should be clearer. Thereafter, the petitioner-School produced clear photographs of the sewing machines possessed and the sewing machines in the institute along with a representation dated 18.01.2017 to re-consider the grant of recognition for the year 2016-2017. But, the same was not considered by the respondents. However, they replied on 06.02.2017 stating that the deficiencies were rectified by the petitioner belatedly.

3. It is further stated by the learned counsel for the petitioner that though the course commenced from 01.07.2016 every year, the renewal applications are made before the end of March or April in each year. After the inspection, before the commencement of the academic year, the respondents would pass orders on the applications. In the present case also, the application for renewal was considered by the first respondent and ordered inspection in April 2016. However, the inspection was conducted only on 06.01.2017 and the second respondent issued a communication seeking the details of the admission made for the current academic year. As the recognition is not coming forth, the petitioner is before this Court with this Writ Petition.

4. Pending writ petition, the respondents have filed counter. It is contended by the respondents that the petitioner-Institution being a technical training institute, the photographs of the equipments used for the training should be

clear. However, the photographs of the machines and other equipments, which were furnished along with application, were not clear. Hence, the second respondent did not grant recognition only for the reason that the photographs attached along with the applications were not clear. Even in the counter affidavit, it is stated that only on scrutinizing the photographs of the petitioner-Institute, it is found that the petitioner-Institute did not have even permanent name Board etc.

5. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

6. As stated earlier, the petitioner-Institute is only admitting students to the trade of cutting and tailoring. It is easy for the respondents to visit the petitioner-Institute and inspect the infrastructural facilities and equipments for conducting trade of cutting and tailoring instead of rejecting or not renewing the recognition based on the photographs. Accordingly, the second respondent is directed to visit the petitioner Industrial Training School and personally inspect the equipments for conducting the trade of cutting and tailoring. On satisfying themselves, it is for the respondents to grant renewal of recognition for the academic year 2016-2017. Such exercise shall be carried out by the second respondent within a period of four weeks from the date of receipt of a copy of this order and thereafter, within a period of two weeks, the first respondent is directed to pass appropriate orders on the application of the petitioner, for renewal of recognition.

7. With the above direction, this Writ Petition is disposed of accordingly. No Costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

srn

To

1. The Director of Employment and Training
Guindy, Chennai 32
2. The Regional Joint Director (Training)
Coimbatore Region,
Mettupalayam Road,
Coimbatore

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+1cc to Government Pleader sr.41008

+1cc to M/s.S.Kamadevan, Advocate sr.40721

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sa1(co)
ss(20/6/2017)



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