

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2017

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 18464 of 2015

&

M.P. No. 1 of 2015

MC Tech Industrial School,
rep. by its Principal,
K.N. Pattanam,
Alankurichi (PO),
Pollachi - 7,
Coimbatore District

...Petitioner

Vs.

1. The Director of Employment &
Training,
Guindy, Chennai - 32.

2. The Regional Joint Director,
of Employment & Training,
Coimbatore Region,
Coimbatore - 641 029.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus to direct the respondents to permit 12 students of Electrical and Electronics Technician Trade admitted during academic year 2013-15 to sit for the examinations and further to publish the results of those examination and to issue certificates to the successful candidates.

For Petitioner :: Mr.S. Kamadevan

For Respondents:: Mr.T.M. Pappiah,
Special Govt. Pleader

O R D E R

The petitioner Industrial School was established in the year 2000 and after getting recognition to admit students, Electrical and Electronic Technician Course and Computer Software Technology Course were directed to be conducted. According to the learned counsel for the petitioner, the original recognition was upto 30.06.2014 and it has been subsequently renewed and as on date, it is in force. Based on the order of recognition granted by the 1st respondent, the petitioner admitted 12 students in both trades, namely, Electrical and Electronic Technician Trade (2 year course) and another 12 students in Computer Software Technology (1 year course). As per the orders of affiliation, the petitioner institute was permitted to admit students in one unit and accordingly, 12 students were admitted within the permissible limit and the list of students was submitted before 30.09.2014 and the same was also approved. However, the respondents, contending that the order of recognition granted would enable the petitioner institute to admit students in the alternative years and not in the successive years, have not permitted 12 students of Electrical and Electronic Technician Trade admitted during the academic year 2013-2015 to sit for the examination and therefore, the petitioner has come before this Court seeking a Writ of Mandamus directing the respondents to permit 12 students of Electrical and Electronic Technician Trade admitted during 2013-2015 to sit for the examination and to further publish the results of the examination and to issue a certificate.

2. Heard the learned counsel for the parties.

3. In paragraph No., 3 of the counter affidavit, the respondents have stated that the petitioner was permitted to admit students for one unit of 2 year course and the institution is entitled to admit students two years once and during the two year course of study of the students, who were earlier admitted, till their completion, no admission could take place. Such a contention is unacceptable. When a two year course has been approved, the petitioner is entitled to admit students every academic year, unless it is withdrawn. There cannot be any prohibition to admit students, when the earlier batch of students are undergoing the course. In that event, recognition granted to the petitioner will be of no use. Therefore, the said objection is rejected.

4. Since, by virtue of interim order dated 26.06.2015, 12 students of the petitioner institute have been permitted to write the examination, the results of the examination are directed to be published within two weeks from the date of receipt of a copy of this order and the certificates are directed to be issued within four weeks thereafter. The writ petition is disposed of with the above direction. No costs. Connected M.P. is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1. The Director of Employment & Training,
Guindy, Chennai - 32.
2. The Regional Joint Director,
of Employment & Training,
Coimbatore Region,
Coimbatore - 641 029.

+1cc to Mr.S. Kamadevan, Advocate sr.88638

W.P. No. 18464 of 2015

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