

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.353 of 2016  
and  
W.M.P.Nos.247 & 248 of 2016

Tamilvel Uma Maheswaranar  
Karanthai Arts College Rep. by  
the Secretary S.Ramanathan  
1985 Serrai garden street,  
Karanthai,  
Tanjur-613 002. .... Petitioner

vs.

1. State of Tamilnadu Rep.by the  
Secretary to Government,  
Higher Education Department,  
Secretariat, Chennai - 9.
2. Bharathidasan University,  
Rep. by the Registrar,  
Palkalai Perur,  
Trichirapalli - 620 024,  
Tamilnadu. .... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for records on the file of the second respondent in connection with the order passed by him in his Letter No.36434/T5/2011 dated 05.12.2015 and quash the same and direct the respondents to permit the College to run the Self Finance Courses for which already Provision Affiliation was granted by him in his order dated 10.08.2015 in Ref.14500/D5/2015.

For Petitioner : Mr.R.Singaravelan  
Senior Counsel  
for Mrs.M.Srividhya

For Respondents: Mr.A.Kumar  
Spl. Govt. Pleader for R1  
: Mr.V.Govardhanan  
Standing counsel for R2

O R D E R

Heard Mr.R.Singaravelan, the learned Senior Counsel appearing for the petitioner and Mr. A.Kumar, the learned Special Government Pleader appearing for the first respondent and Mr.V.Govardhanan, learned counsel appearing for the second respondent University.

2. This writ petition is filed challenging the order passed by the 2nd respondent restraining the petitioner college from admitting the students under the self finance scheme during the academic year 2016-17. Though such writ petition is filed with the relief as stated supra, the learned Senior counsel submitted that the petitioner will pursue the remedy before the first respondent Government by way of an appeal already filed on 23.05.2015 and therefore, the first respondent may directed to consider the said appeal and pass orders on the same within time stipulated by this Court.

3. It is seen from this court, while entertaining the writ petition has already granted interim stay of the impugned order on 07.01.2016 and the said order is still in force. Since the appeal is already filed before the first respondent and the same is said to be still pending, without expressing any view on merits and contentions raised by both parties, the first respondent is directed to dispose of the said appeal dated 23.12.2015 and pass orders on the same on merits and in accordance with law after giving due opportunity of hearing to both the parties. Such exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. Till an order is passed in the said appeal, the status quo which is prevailing as on today shall continue. The petitioner shall co-operate for the early disposal of the appeal without seeking for any further extension of time. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

bsm

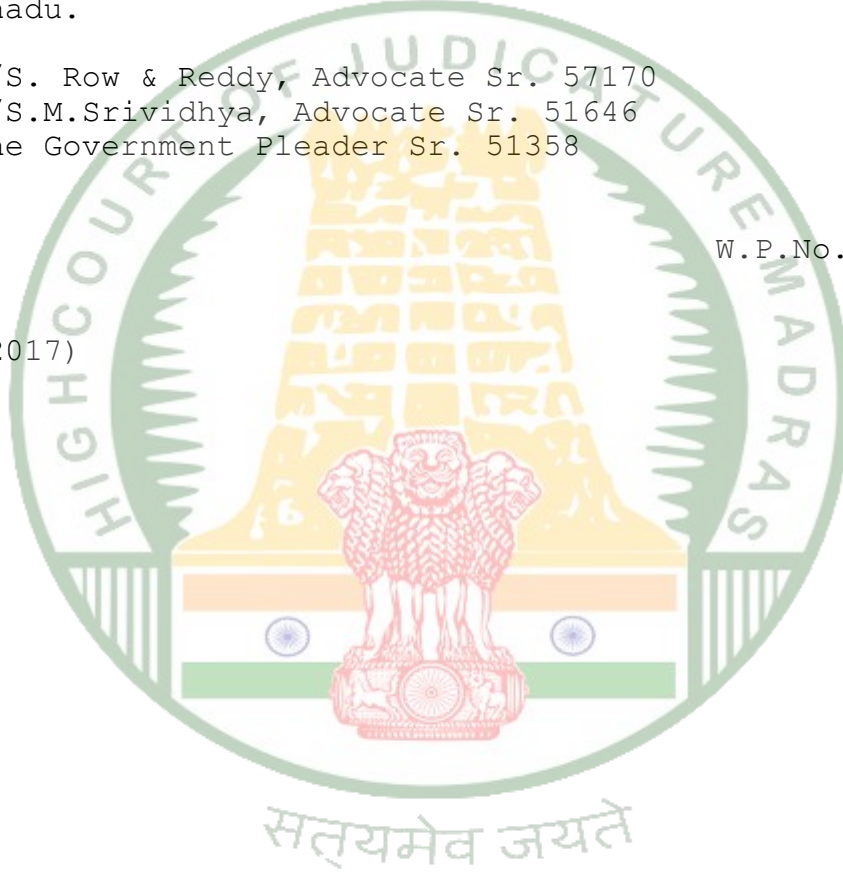
To

1. The Secretary to Government,  
Higher Education Department,  
Secretariat, Chennai - 9.
2. The Registrar,  
Bharathidasan University,  
Palkalai Perur,  
Trichirapalli - 620 024,  
Tamilnadu.

+1cc to M/S. Row & Reddy, Advocate Sr. 57170  
+1cc to M/S.M.Srividhya, Advocate Sr. 51646  
+1cc to the Government Pleader Sr. 51358

W.P.No.353 of 2016

SV(CO)  
VR(03/08/2017)



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