

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2017

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.24608 of 2003
and W.M.P.No.30275 of 2003

Tamil Nadu Homeopathic Medical College
7, M.M.Street,
Gugai,
Salem-636 606.

Rep. by its Correspondent
Dr.T.Chandhira Segaran.

.. Petitioner

Versus

1.The Tamil Nadu Dr.MGR Medical University,
P.B.No.1200,
No.69, Anna Salai,
Guindy,
Chennai-600 032.
Rep. by its Registrar.

2.The Commissioner and Director of
Indian Medicine and Homeopathy
Anna Hospital Campus,
Arumbakkam,
Chennai.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, calling for the records relating to the impugned proceedings of the 1st respondent in Lr.R.C.No.44837/Affln.II(2)/03 dated 11.08.2003 and quash the same.

For Petitioner : Mr.V.Selvaraj

For Respondents : Mr.D.Ravichander (for R1)
Mr.M.Elumalai (for R2)

ORDER

The prayer sought for in this writ petition is for a writ of certiorari to call for the records relating to the impugned proceedings of the 1st respondent in Lr.R.C.No.44837/Affln.II(2)/03 dated 11.08.2003 and quash the same.

2.I have heard Mr.V.Selvaraj, learned counsel for the petitioner, Mr.D.Ravichander, learned counsel for the first respondent and Mr.M.Elumalai, learned counsel for the second respondent.

3.The petitioner Institution sought for the aforesaid prayer challenging the order passed by the respondent University dated 11.08.2003. On perusal of the said order dated 11.08.2003, it is found that the respondent University directed the petitioner Institution not to admit any students in 1-year BHMS course including NRI quota for the academic year 2003-2004.

4.Since for every academic year, it is for the regulating authorities like the University will issue orders like the one which is impugned herein and the validity of the said orders are put under challenge. The validity of the said order or otherwise confined only to that

academic year and insofar as the next academic year is concerned, it is for the concerned institution to seek for affiliation or continuation of affiliation or permission for admitting students on the strength of the approval/recognition given by the concerned authorities.

5. Moreover, it is brought to the notice of this court that subsequently affiliation had been given by the respondent University to the petitioner's institution. Moreover, in this writ petition, an interim order passed by this Court was made absolute and the vacate stay petition filed by the respondent-University also was rejected by an order dated 15.06.2004. Therefore, insofar as the academic year 2003-2004 also, the issue has been settled by this Court by an order referred to above.

6. In view of the aforesaid facts and circumstances, since the impugned order confined only to academic year 2003-2004 and the said academic year had gone, there was some interim arrangements being made and subsequently it is informed by the learned counsel for the petitioner that continuation of affiliation was available for the petitioner's institution and the students have been admitted. In the opinion of this Court, no further adjudication is still pending for judgment.

R.SURESH KUMAR, J.,

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7. Therefore, this writ petition is disposed of as no further adjudication is required in this writ petition. No costs.

12.12.2017

Speaking order/Non-speaking order

Index :Yes/No

Internet:Yes/No

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To

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