



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.A.(MD)No.1043 of 2016
and
CMP(MD).No.6331 of 2016

M/s.Dhaya College of Engineering,
Rep.by its Authorised Signatory,
G.Jayakarnan Grubb,
Sivarakkottai Village,
Thirumangalam,
Madurai - 625 706

: Appellant/Petitioner

Vs.

1.The Anna University,
Chennai - 600 025
Rep.by its Registrar,

2.Centre for Affiliation of Institutions,
The Anna University,
Chennai - 600 025.

3.Deputy Director,
Town & Country Planning,
Directorate of Town & Country Planning,
Madurai.

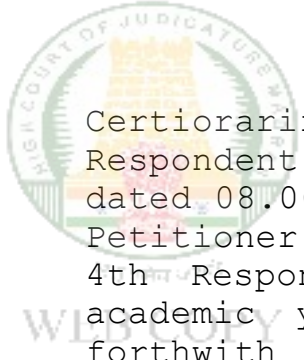
4.Superintending Engineer, PWD,
1/C, Building (C&M) Circle,
Madurai

: Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 24.06.2016, made in W.P.(MD). No.10681 of 2016 on the file of this Court and quash the impugned order Lr.No.227/CAI/AU/2016, dated 08.06.2016 issued by the first respondent in so far as it directs the appellant to produce a structural Stability Certificate from the fourth respondent for grant of Provisional Affiliation for the academic year 2016 -2017.

Prayer in WP(MD). 10681/ 2016 :

<https://hcservices.ecourts.gov.in/hcservices/> Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of



Certiorarified Mandamus calling for the records of the 1st Respondent culminating in the impugned order Lr.No.227/CAI/AU/2016 dated 08.06.2016, quash the same in so far as the same directs the Petitioner to produce a Structural Stability Certificate from the 4th Respondent for grant of Provisional Affiliation for the academic year 2016-2017 and direct the Respondent 1 & 2 to forthwith grant the Petitioner college affiliation to the Anna University.

For Appellant : No appearance
 For Respondents 1&2 : Mr.M.Rajarajan,
 Government Advocate

For Respondents 3 &4 : Mr.T.R.Janarthanan,
 Additional Government Pleader

J U D G M E N T

[Judgment of the Court was delivered by M.M.SUNDRESH,J.]

No representation for the petitioner. Heard the learned counsel for the respondents.

2.The learned Government Advocate appearing for the first and second respondents would submit that as against the interim order passed by this Court on 30.06.2016 in this Appeal, Special Leave Petitions were filed in SLP. Nos. 18856 and 18857 of 2016.

3.Before the Hon'ble Apex Court, the learned counsel appearing for the appellant stated that he did not want to contest the above Special Leave Petitions and the order passed by this Court may be set aside. Further submission has been made that the students may be accommodated in some other nearby college.

4.The Hon'ble Apex Court disposed of the Special Leave Petitions with an observation that the second year students studying in the college may be given due recognition separately.

5.The learned Government Advocate would submit that in view of the order passed in Special Leave Petitions, nothing further survives for consideration and the academic year is also over. It is also reliably learnt that the appellant has sold the college to a third party, though not confirmed.



6. In view of the above submission and taking note of the submission made by the appellant before the Hon'ble Apex Court, this writ appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petition is also closed.

/True Copy/

Sd/-
Assistant Registrar(C.O)

Sub-Assistant Registrar

To

1. The Registrar,
Anna University,
Chennai - 600 025

2. The Centre for Affiliation of Institutions,
The Anna University, Chennai - 600 025.

3. The Deputy Director,
Town & Country Planning,
Directorate of Town & Country Planning,
Madurai.

4. The Superintending Engineer, PWD,
1/C, Building (C&M) Circle,
Madurai.

+One cc to Mr.M.Rajarajan, Advocate, SR.No.76291

+One cc to The Special Government Pleader, SR.NO.76640

dsk

RL/7C/3P/SV/MMS/SAR1/21/9/2017

W.A. (MD) No.1043 of 2016