



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 18.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**W.P(MD)Nos.10855 to 10857 of 2017andW.M.P(MD)Nos.8277 to 8285 of 2017

A.R.College of Engineering and Technology,
represented by its Principal,
Kadayam-Alangulam Road,
Therekkumadathoor Post-627 423,
Tirunelveli District.

..Petitioner in
W.P(MD)No.10855 of 2017

Satyam College of Engineering and Technology,
represented by its Chairman,
Kanyakumari District - 629 301.

..Petitioner in
W.P(MD)No.10856 of 2017

Maria College of Engineering and Technology,
represented by its Principal,
Attoor, Thiruvattar Post,
Kanyakumari District - 629 177.

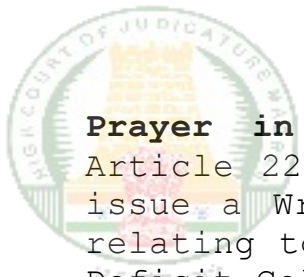
..Petitioner in
W.P(MD)No.10857 of 2017

Vs

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

..Respondent in all W.Ps'

Prayer in W.P(MD)No.10855 of 2017: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CertiorarifiedMandamus calling for the records relating to the impugned order of the respondent in lr.No.159/CA1-Deficit. Colleges/AU/2017-19, dated 14.5.2017 and the impugned order of the respondent in Lr.No.159/CA1-Deficit Colleges/AU/2017-19, dated 2.6.2017 and to quash the same and consequently to direct the respondent herein to permit the Petitioner to continue the educational programmes in UG and PG programmes for the academic year 2017-2018 as per the proceedings of extension of approval granted by the All India Council for Technical Education, dated 30.3.2017.



Prayer in W.P(MD)No.10856 of 2017: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in lr.No.159/CA1-Deficit.Colleges/AU/2017-29, dated 14.5.2017 and the impugned order of the respondent in Lr.No.159/CA1-Deficit Colleges/AU/2017-29, dated 2.6.2017 and to quash the same and consequently to direct the respondent herein to permit the Petitioner to continue the educational programmes in UG and PG programmes for the academic year 2017-2018 as per the proceedings of extension of approval granted by the All India Council for Technical Education, dated 30.3.2017.

Prayer in W.P(MD)No.10857 of 2017: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in lr.No.159/CA1-Deficit.Colleges/AU/2017-24, dated 14.5..2017 and the impugned order of the respondent in Lr.No.159/CA1-Deficit Colleges/AU/2017-24, dated 2.6.2017 and to quash the same and consequently to direct the respondent herein to permit the Petitioner to continue the educational programmes in UG and PG programmes for the academic year 2017-2018 as per the proceedings of extension of approval granted by the All India Council for Technical Education, dated 30.3.2017.

For Petitioner	: Mr.Veerakathiravan
in all W.Ps'	Senior Counsel
	for M/s.Veera Associates
For Respondent	: Mr.H.Hemakarthiskeyan
in all W.Ps'	for Mr.M.Rajarajan
	Government Advocate

COMMON ORDER

W.P(MD)No.10855 of 2017 has been filed praying this Court for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in lr.No.159/CA1-Deficit.Colleges/AU/2017-19, dated 14.5.2017 and the impugned order of the respondent in Lr.No.159/CA1-Deficit Colleges/AU/2017-19, dated 2.6.2017 and to quash the same and consequently to direct the respondent herein to permit the Petitioner to continue the educational programmes in UG and PG programmes for the academic year 2017-2018 as per the proceedings of extension of approval granted by the All India Council for Technical Education, dated 30.3.2017.

2.W.P(MD)Nos.10856 of 2017, has been filed praying this Court for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in lr.No.159/CA1-Deficit.Colleges/AU/2017-29, dated 14.5.2017 and the



impugned order of the respondent in Lr.No.159/CA1-Deficit Colleges/AU/2017-29, dated 2.6.2017 and to quash the same and consequently to direct the respondent herein to permit the Petitioner to continue the educational programmes in UG and PG programmes for the academic year 2017-2018 as per the proceedings of extension of approval granted by the All India Council for Technical Education, dated 30.3.2017.

3.W.P(MD)No.10857 of 2016 has been filed praying this Court for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in Lr.No.159/CA1-Deficit.Colleges/AU/2017-24, dated 14.5..2017 and the impugned order of the respondent in Lr.No.159/CA1-Deficit Colleges/AU/2017-24, dated 2.6.2017 and to quash the same and consequently to direct the respondent herein to permit the Petitioner to continue the educational programmes in UG and PG programmes for the academic year 2017-2018 as per the proceedings of extension of approval granted by the All India Council for Technical Education, dated 30.3.2017.

4.The case of the Petitioners is that their Engineering Colleges were duly recognized by All India Council for Technical Education(AICTE) and affiliated to the respondent/University. After approval from the AICTE, they are running educational programmes in UG and P.G. Courses. The respondent/University has also granted the provisional affiliation for their institutions and for imparting education of all the courses. On 5.4.2016, AICTE has approved all the subsequent programmes for the academic year 2016-2017.The Colleges have its infrastructure facilities like Library, Laboratory and teaching staffs and all amenities for the students.

5.I have heard the submissions of Mr.VeeraKathiravan, learned Senior Counsel appearing for the Petitioners and Mr.H.Hemakarthykeyan, learned counsel for the respondent/University and perused the materials placed before this Court.

6.Learned Senior Counsel appearing for the petitioners would submit that in response to the communication issued by the Anna University, the petitioners have applied for continuation of affiliation for the academic year 2017-2018 and they have also paid inspection charges. It is further contended that based on the inspection report, the respondent has pointed out some minor deficiencies and after rectifying the deficiencies, the petitioners institutions have filed compliance reports. However, without considering those reports, the impugned orders came to be passed and in the interest of justice, the respondent can be directed to conduct inspection to the petitioners' institutions and based on the report, fresh orders can be passed. The petitioners are ready to remit necessary charges for re-inspection.



7.Learned counsel for the respondent would submit that the compliance reports of the petitioners were considered by the Scrutiny Committee and only on the basis of the report, the impugned orders were passed.

WEB COPY

8.It is not in dispute that the petitioners have submitted compliance reports. Though, it is contended by the learned counsel for the respondent that the compliance reports of the petitioners were taken into consideration, but there is no material to substantiate their case. Even in the subsequent communications of the respondent, the receipt of the compliance reports are not mentioned.

9.In view of the above facts and to meet the ends of justice, this court directs the respondent to conduct inspection on the institutions of the petitioners by constituting an inspection committee on or before 25.07.2017 and based on the report, the respondent shall pass orders, afresh on or before 31.07.2017.

10.With the above directions, the writ petitions stand disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

+3cc to M/S.Veera Associates, Advocate SR.No. 66060,66061,66059
+3cc to M/S.M.Rajarajan, Advocate SR.No. 66019,66018,66017

W.P (MD) Nos.10855 to
10857 of 2017

and
W.M.P (MD) Nos.8277 to
8285 of 2017
18.07.2017

VSN

JM/SKN RSK/SAR 4/19.07.2017/4P/7C