



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2017**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KALYANASUNDARAM**

W.P.(MD)No.16139 of 2017

and

W.M.P.(MD)No.12806 of 2017

Immanuel Arasar International Institute
of Science and Technology Educational &
Charitable Trust,
Represented by its Founder Trustee / Chairman,
Sam.G.Jebajoselin.

...Petitioner

-Vs-

1.The Council of Architecture,
Represented by its Registrar,
India Habitat Centre,
Core 6A, 1st Floor, Lodhi Road,
New Delhi-110 003.

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

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

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the impugned order in Lr.No.237/CAI/AU/2017 dated 18.08.2017 on the file of first Respondent and quash the same and further directing the second and third Respondent to grant affiliation for the course of five year full time Bachelor of Architecture (B.Arch) to the Petitioner's College viz. Immanuel Arasar College of Architecture, Nattalam, Kanyakumari District for the academic year 2017-18 and for the subsequent years.

For Petitioner : Mr.G.Prabhu Rajadurai
For R-1 : Mr.A.Ganesan
For R-2 : Mr.M.Rajarajan

**ORDER**

This writ petition is filed challenging the order of the second respondent dated 18.08.2017.

2. The petitioner is a trust and is running various institutions. The petitioner would state that with an intention to run a college of Architecture in the name and style of "Immanuel Arasar College of Architect", the petitioner developed infrastructure and also recruited qualified faculties. Thereafter, the petitioner made application to the first respondent seeking approval for full time five year course in Bachelor of Architect for admitting students (for the academic year 2017-2018). After getting approval from the first respondent, the petitioner applied for affiliation with the second respondent. By the impugned order in Lr.No.237/CAI/AU/2017 dated 18.08.2017, the application was rejected. Hence, the present writ petition has been filed.

3. Heard Mr.G.Prabhu Rajadurai, learned counsel for the petitioner, Mr.A.Ganesan, learned counsel for the first respondent and Mr.M.Rajarajan, learned counsel for the second respondent.

4. The learned counsel for the petitioner would submit that the impugned order came to be passed in violation of principles of natural justice.

5. A perusal of the materials would reveal that before passing the impugned order, no opportunity was afforded to the petitioner.

6. In the light of the above fact, the impugned order is set aside and the matter is remanded back to the second respondent for re-consideration. The second respondent shall pass orders on merits and in accordance with law after providing opportunity to the petitioner

7. Accordingly, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar



To

1.The Council of Architecture,
Represented by its Registrar,
India Habitat Centre,
Core 6A, 1st Floor, Lodhi Road,
New Delhi-110 003.

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

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

+1cc to Mr.A.GANESAN Advocate in SR. No. 76597

+1cc to Mr.M.RAJARAJAN Advocate in SR. No.76346

+1cc to Mr.G.PRABHU RAJADURAI Advocate in SR. No. 76385

SM

JS/KP/SAR.1/15.09.2017/3P-7C

W.P. (MD) No.16139 of 2017
04.09.2017