

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 11861 of 2017

ORDER :

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of mandamus:

- a. "declaring the action of respondent Nos.6 and 7 in failing to curb the acts of ragging committed on petitioner Nos.1 and 2 in terms of 'PCI Regulations on Curbing the Menace of Ragging in Pharmacy Colleges, 2009', as illegal and arbitrary; and
- b. declare the action of respondent Nos.1,3 and 4 in not initiating appropriate action against respondent Nos.6 and 7 in failing to prevent and curb ragging in the college under the regulations framed under 'PCI Regulations on Curbing the Menace of Ragging in Pharmacy Colleges, 2009' as illegal and arbitrary;
- c. declare the action of respondent Nos.1,3 and 4 in not accommodating petitioner Nos.1 and 2 in any Pharmacy College located within its jurisdiction and thereby depriving them to prosecute their studies, as illegal and arbitrary;

- d. declare the action of respondent No.5 in not making effective investigation in a serious crime of this nature vide Crime No.42 of 2017 as illegal and arbitrary;
- e. and pass such other order or orders as this Hon'ble Court may deem fit and proper."

3. Though various grounds are raised, learned counsel for the petitioner would submit that the petitioner would make an application to respondent Nos.3 and 4 seeking appropriate relief, more particularly, for issuance of transfer certificate/ No Objection Certificate, in which event, the appropriate authority may be directed to consider the same in terms of G.O.Ms.No.122, Higher Education (EC) Department, dated 01.09.2005 and the proceedings No.H2/ 2380/ 2017(7), dated 21.06.2017.

4. Learned counsel for respondent No.7 would submit that they have no objection for issuing No Objection Certificate to the petitioners, subject to the condition of payment of balance of fees.

5. Having regard to the submissions made across the Bar, the Writ Petition is disposed of directing the petitioner to make an application to respondent Nos.3 and 4 seeking appropriate relief, more particularly, for issuance of transfer certificate/ No Objection Certificate, within a period of one week from the date of receipt of a copy of the order, in accordance with law, in which event, the appropriate authority shall consider the same in terms of G.O.Ms.No.122, Higher Education (EC) Department, dated 01.09.2005

and the proceedings No.H2/ 2380/ 2017(7), dated 21.06.2017 and act in accordance with law. No costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

07.07.2017
vnb

