

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Twenty Eighth day of March Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

WMP.Nos.9409, 9262 to 9266 of 2018

in W.P.No.1505, 576, 577, 596, 2227 and 2621 of 2018

HINDUSTAN INSTITUTE OF [PETITIONER in WMP No.9409/2018]
TECHNOLOGY & SCIENCE (DEEMED TO BE
UNIVERSITY ESTABLISHED UNDER SEC 3 OF UGC ACT)
REP BY TIS REGISTRAR RAJIV GANDHI SALAI
(OMR), PADUR, CHENNAI 603 103

VEL TECH RANGARAJAN [PETITIONER IN WMP.9262/2018]
DR.SAGUNTHALA R & D INSTITUTE OF
SCIENCE AND TECHNOLOGY 42
AVADI- VELTECH ROAD AVADI
CHENNAI-62 REP BY ITS REGISTRAR
PROF.DR.E.KANNAN

VELS INSTITUTE OF SCIENCE [PETITIONER in WMP.No.9263/2018]
TECHNOLOGY AND ADVANCED STUDIES VELAN
NAGAR P.V.VAITHIYALINGAM ROAD
PALLAVARAM CHENNAI-117 REP BY ITS
REGISTRAR A.R.VEERAMANI

VELLORE INSTITUTE OF [PETITIONER in WMP.No.9264/2018]
TECHNOLOGY (VIT) (ESTABLISHED
UNDER SEC 3 OF UGC ACT) THIRUVALAM-
KATPADI ROAD VELLORE-14 REP BY ITS
REGISTRAR K.SATHIYANARAYANAN

VINAYAKA MISSIONS RESEARCH [PETITIONER IN WMP.No.9265/2018]
FOUNDATION, DEEMED TO BE UNIVERSITY,
NH 47, SANKARI MAIN RD, ARIYANEEOR, SALEM ,
REP BY ITS REGISTRAR, B. JAYKAR

B.S.ABDUR RAHMAN CRESCENT [PETITIONER IN WMP.No.9266/2018]
INSTITUTE OF SCIENCE & TECHNOLOGY,
SEETHAKATHI ESTATE, GST ROAD,
VANDALUR, CHENNAI 48
REP BY ITS REGISTRAR,
DR.M.S.HAJI SHEIK MOHAMMED.

Vs

1 THE CHAIRMAN
ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION, NELSON MANDELA MARG,
VASANTKUNJ, NEW DELHI-110 002

[RESPONDENTS IN ALL THE
PETITIONS]

2 THE SECRETARY
UNIVERSITY GRANTS COMMISSION
BAHADUR SHAH JAFARMARG NEW DELHI-110002

3 MINISTRY OF HUMAN RESOURCES
DEVELOPMENT DEPARTMENT OF HIGHER
EDUCATION 128 C WING, SHASTRI BHAVAN, NEW DELHI-110 115

Petitions praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i) Grant the Petitioner Deemed University for Extension of Time to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance of the Public Notice for approval process 2018-19 by the 1st Respondent Advt. No. Approval / 12 / (03) / 2017 and signed by Member Secretary, AICTE to obtain approval for conducting technical programmes / courses including course of management for the academic session 2018-19.(in WMP.No.9409/2018);

(ii) Permit the Petitioner Deemed University for Extension of Time to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance of the Public Notice for approval process 2018-19 by the First Respondent Advt. No. Approval /12 (03)/2017 under signed by Member Secretary, AICTE to obtain approval for conducting technical programmes / Courses including course of management for the academic session 2018-19.(in WMP.No.9262/2018);

(iii) Permit the Petitioner Deemed University for Extension of Time to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance of the Public Notice for approval process 2018-19 by the First Respondent Advt. No. Approval /12 (03)/2017 under signed by Member Secretary, AICTE to obtain approval for conducting technical programmes / Courses including course of management for the academic session 2018-19.(in WMP.No.9263/2018);

(iv) Permit the Petitioner Deemed University for Extension of Time to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance of the Public Notice for approval process 2018-19 by the First Respondent Advt. No. Approval /12 (03)/2017 under signed by Member Secretary, AICTE to obtain approval for conducting technical programmes / Courses including course of management for the academic session 2018-19.(in WMP.No.9264/2018);

(v) Permit the Petitioner Deemed University for Extension of Time to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance of the Public Notice for approval process 2018-19 by the First Respondent Advt. No. Approval /12 (03)/2017 under signed by Member Secretary, AICTE to obtain approval for conducting technical programmes / Courses including course of management for the academic session 2018-19.(in WMP.No.9265/2018);

(vi) Permit the Petitioner Deemed University for Extension of Time to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance of the Public Notice for approval process 2018-19 by the First Respondent Advt. No. Approval /12 (03)/2017 under signed by Member Secretary, AICTE to obtain approval for conducting technical programmes / Courses including course of management for the academic session 2018-19.(in WMP.No.9266/2018) respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of MR.KANDHAN DURAISWAMI, Advocate for the petitioner in WMP.No9409/18 in WP.No.1505 of 2018 and of MR.P.WILSON, Senior Counsel assisted by MR.A.SARAVANAN, Advocate for the petitioners in WMP.Nos.9262 to 9266/18 in WP.Nos.576, 577, 596, 2227, 2621/2018 and of MR.B.RABU MANOHAR, Standing Counsel taking notice for the respondents 1 and 3 in all the petitions and of MR.P.R.GOPINATH, Standing Counsel taking notice for the second respondent UGC in all the petitions the court made the following order:-

These applications have been filed seeking to permit the petitioners Deemed University for extension of time to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance to the Public Notice for approval process 2018-19 by the First Respondent Advt.No.Approval/12 (03)/2017 under signed by Member Secretary, AICTE to obtain approval for conducting technical programmes/Courses including course of management for the academic session 2018-19.

2. The Writ Petitions have been filed challenging the notification of the respondent directing the petitioners to get approval from the AICTE.

3. It is contended by the learned Senior counsel for the petitioners that at the time of hearing these Writ petitions, this Court has passed an order directing the respondents not to take any adverse action against the petitioners and the same was extended periodically and in view of the same, the petitioners had not submitted any application for approval of AICTE and now they are ready to apply for approval of AICTE.

4. Mr.Rabu Manohar, learned Standing Counsel for the first respondent has submitted that they have no serious objection for the petitioners applying for approval of AICTE as per the public notice dated 24.12.2017 issued by the First Respondent Advt.No.Approval/12 (03)/2017.

5. Considering the facts and circumstances of the case and also in the light of the above submissions made by the learned counsels appearing on either side, these applications are allowed and the petitioners are permitted to apply for AICTE approval as per the Advertisement dated 24.12.2018 in pursuance to the Public Notice for approval process 2018-19 by the First Respondent Advt.No.Approval/12 (03)/2017 under signed by Member Secretary, AICTE to obtain approval for conducting technical programmes/Courses including course of management for the academic session 2018-19 and they shall be considered in the light of the regulation dated 12.02.2018.

-sd/-
28/03/2018

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHAIRMAN
ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION, NELSON MANDELA MARG,
VASANTKUNJ, NEW DELHI-110 002

2 THE SECRETARY
UNIVERSITY GRANTS COMMISSION BAHADUR SHAH
JAFARMARG NEW DELHI-110002

3 MINISTRY OF HUMAN RESOURCES
DEVELOPMENT DEPARTMENT OF HIGHER EDUCATION
128 C WING, SHASTRI BHAVAN, NEW DELHI-110 115

+10 C.C. to M/S.A.SARAVANAN Advocate, Sr.No.4143,4170

C.C. to MR.B.RABU MANOHAR, Standing Counsel on payment of
necessary charges

C.C. to MR.P.R.GOPINATH, Standing Counsel on payment of
necessary charges

Order

in

WMP.Nos.9409, 9262 to 9266 of 2018

in W.P.No.1505, 576, 577, 596, 2227 and 2621 of 2018

Date :28/03/2018

From 26.2.2001 the Registry is issuing certified
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KP(02/04/2018)