

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.05.2018

C O R A M

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.12026 of 2018

and

W.M.P.Nos.14029 & 14030 of 2018

Pachamuthu Educational Trust
Rep by its Vice Chairman
No.39/1, First Cross
Nedumaran Nagar
Dharmapuri - 636 701.

... Petitioner

Vs.

1. All India Council for Technical Education
Rep by its Member Secretary
Nelson Mandela Marg
Vasant Kunj, New Delhi - 110 067.

2. The Regional Officer
Southern Regional Office
All India Council for Technical Education
26, Haddows Road, Chennai - 600 006.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent, in F.No.Southern/2018/1-3728715501-LOR dated 12.03.2018 and F.No.Southern/2018/1-3728715501-LOR dated 30.04.2018 and quash the same and consequently direct the respondents herein to grant approval for starting a new Pharmacy College for the academic year 2018-19 in the name and style of "Pachamuthu College of Pharmacy" at S.F.No.178/3A, Muthupatti Nallanahalli Village, Hale Dharmapuri Post, Krishnagiri Road, Dharmapuri -636 701.

For Petitioner : Mr.Kandhan Duraisami

O R D E R

The final letter of rejection dated 30th April 2018 passed by All India Council for Technical Education for setting up a new Technical Institute is under challenge in this writ petition.

2.The grievance of the writ petitioner is that the deficiencies cited by the All India Council for Technical Education dated 30th April 2018 had already been complied with.

3.The learned counsel appearing on behalf of the writ petitioner further contended that the construction of building in all respects were completed by the writ petitioner. All infrastructural facilities are also kept ready for the commencement of the college at any point of time. In other words, the readiness has already been expressed by the petitioner to the authorities on 25th April 2018.

4.The learned counsel appearing for the petitioner urged this court that on receipt of the representation dated 25.04.2018, the respondents ought to have conducted an inspection to verify the compliance of the deficiencies and thereafter, they would have taken a decision. Contrarily, without considering the representation dated 25.04.2018 the respondents issued the impugned order dated 30.04.2018, which was issued based on the inspection conducted on 23.03.2018.

5.The learned counsel for the petitioner states that after the inspection the building constructions have been completed in all respects and the facilities as per the norms are ready for commencement of the college.

6.This being the factum now expressed before this court, the respondents are directed to conduct an inspection as per the procedures and as contemplated under the rules and in the event of compliance in respect of the deficiencies already identified by the authorities all necessary actions are to be taken on the representation dated 25.04.2018 submitted by the writ petitioner for granting recognition.

7.Accordingly, this writ petition stands disposed of. However, there is no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

maya

To

1. The Member Secretary
All India Council for Technical Education
Nelson Mandela Marg
Vasant Kunj, New Delhi - 110 067.
2. The Regional Officer
Southern Regional Office
All India Council for Technical Education
26, Haddows Road, Chennai - 600 006.

+1cc to Mr.Kandhan Duraisami, Advocate, S.R.No.33259

W.P.No.12026 of 2018

GJ(CO)
CS/18/05/18



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