

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.12047 of 2018

and

W.M.P.No.14060 of 2018

Sri Rengaswamy Educational Trust,
Rep. by its Chairman Dr.A.K.Natesan,
NH 544, Salem Main Road,
Pallakapalayam,
Komarapalayam Taluk,
Namakkal District.

.. Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Higher Education Department,
Fort St.George, Chennai-600 009.

2. The Director of Collegiate Education,
College Road, Chennai-600 006.

3. The Joint Director of Collegiate Education,
(Planning and Development),
O/o Directorate of Collegiate Education,
College Road, Chennai-600 006.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondents, relating to the order of the third respondent in Letter Na.Ka.No.5962/R4/2018, dated 03.05.2018 and quash the same insofar as insistence of approval of Department of Town and Country Planning for the existing building of the petitioner and consequently direct the respondents to grant necessary approval/permission to the petitioner herein to start "Excel College of Commerce and Science" at NH-544, Salem Main Road, Pallakapalayam, Komarapalayam Taluk, Namakkal District, from the academic year 2018-2019 by accepting the planning permission for the building granted by Pallakapalayam Village Panchayat, dated 09.09.2008 in the light of the order in W.P.No.11031 of 2011, dated 15.06.2012, W.P.Nos.20890 and 20891 of 2016, dated 31.08.2016 and W.P.No.15334 of 2017, dated 04.07.2017.

For petitioner : Mr.Kandhan Duraisami

For respondents: Mr.A.Rajaperumal, Addl.G.P.

ORDER

The petitioner has come forward with the above Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondents, relating to the order of the third respondent in Letter Na.Ka.No.5962/R4/2018, dated 03.05.2018 and quash the same insofar as insistence of approval of Department of Town and Country Planning for the existing building of the petitioner and consequently direct the respondents to grant necessary approval/permission to the petitioner herein to start "Excel College of Commerce and Science" at NH-544, Salem Main Road, Pallakapalayam, Komarapalayam Taluk, Namakkal District, from the academic year 2018-2019 by accepting the planning permission for the building granted by Pallakkapalayam Village Panchayat, dated 09.09.2008 in the light of the order in W.P.No.11031 of 2011, dated 15.06.2012, W.P.Nos.20890 and 20891 of 2016, dated 31.08.2016 and W.P.No.15334 of 2017, dated 04.07.2017.

2. When the Writ Petition is taken up for hearing, learned Additional Government Pleader appearing for the respondents submitted that the issue involved in this Writ Petition is covered by the following decisions of this Court:

- (i) W.P.No.15334 of 2017, dated 04.07.2017;
- (ii) W.P.Nos.682 and 683 of 2018, dated 19.01.2018;
- (iii) W.P.(MD).No.20329 of 2014, dated 06.04.2015 and
- (iv) W.P.No.2148 of 2018, dated 15.02.2018.

3. Taking note of the above submission of the learned Additional Government Pleader, the present Writ Petition is disposed of in the same terms as mentioned in the above four Writ Petitions. No costs. Consequently, W.M.P. is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Higher Education Department,
Fort St.George, Chennai-600 009.

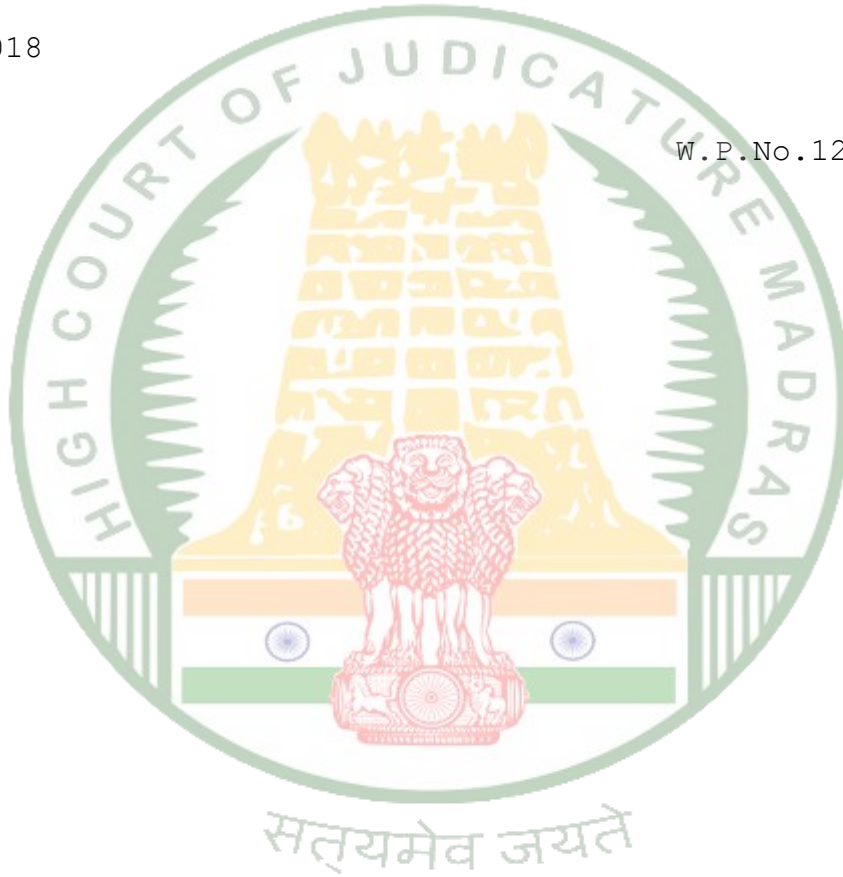
2. The Director of Collegiate Education,
College Road, Chennai-600 006.

3. The Joint Director of Collegiate Education,
(Planning and Development),
O/o Directorate of Collegiate Education,
College Road, Chennai-600 006.

+1cc to M/s.Muthumani Doraisami, Advocate Sr.No.34678
+1cc to Government Pleader SR.No.35008

NRL(CO)
sm:11.6.2018

W.P.No.12047 of 2018



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