

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.13511 of 2018

and

W.M.P.Nos.15916 to 15918 of 2018

Dr.SNS Rajalakshmi College of Arts and Science,
Rep. by its Director Dr.V.Kathiresan,
486, Thudiyalur-Saravanampatti Road,
Chinnavedamapatti Post,
Coimbatore-641 049.

... Petitioner

Vs.

1. The Director,
Approval Bureau,
All India Council for Technical Education (AICTE),
Nelson Mandela Marg,
Vasant Kunj, New Delhi-110 007.
2. The Regional Officer,
All India Council for Technical Education (AICTE),
Shastri Bhavan, Haddows Road,
Chennai-600 006.
3. The Registrar,
Bharathiyar University,
Coimbatore.
4. The Commissioner,
Directorate of Technical Education,
Sardar Patel Road,
Guindy, Chennai.

.. 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 impugned order passed by the first respondent in F.No.AICTE/AB/SR/PID 1-4966091/2018-19, dated 30.04.2018 and quash the same as illegal and consequently direct the respondents to grant extension of approval to the petitioner College, namely Dr.SNS Rajalakshmi College of Arts and Science, Coimbatore in respect of MBA and MCA courses for the academic year 2018-2019, in the light of the order passed in W.P.No.10359 of 2018, dated 25.04.2018, within a time frame that may be fixed by this Court.

For petitioner :Mr.E.Vijay Anand

For respondents :Mr.B.Rabu Manohar, for RR-1 and 2
No appearance for R-3
Mr.A.Raja Perumal, Addl.G.P. for R-4

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 impugned order passed by the first respondent in F.No.AICTE/AB/SR/PID 1-4966091/2018-19, dated 30.04.2018 and quash the same as illegal and consequently direct the respondents to grant extension of approval to the petitioner College, namely Dr.SNS Rajalakshmi College of Arts and Science, Coimbatore in respect of MBA and MCA courses for the academic year 2018-2019, in the light of the order passed in W.P.No.10359 of 2018, dated 25.04.2018, within a time frame that may be fixed by this Court.

2. When the Writ Petition is taken up for hearing, the learned counsel for the petitioner has filed additional affidavit, dated 19.07.2018, in which, in paragraph 6, it is stated as follows:

"6. The Petitioner states that, this Hon'ble Court after hearing the arguments on 18.07.2018 had asked the petitioner to file an affidavit stating the time limit within which the above deficiencies can be cured, so as to enable the AICTE to process the Petitioner application/continuation of approval for the academic year 2018-2019. The petitioner states that all the deficiencies which were pointed out were cleared and rectified excepting the installation of lift, as the work for installation had commenced the petitioner undertakes and will rectify and install the Lift within a period of 3 months from today. Since the college is running for the past 17 years having "A" grade NAAC accreditation, hence, approval may not be denied for the reasons stated in the impugned order."

3. As the petitioner-College is being run for more than 17 years, the learned counsel for the respondents 1 and 2/AICTE submitted that the petitioner's case would be considered afresh and if compliance as stated in the above said paragraph 6, is

not adhered to, the petitioner-College will have no right to continue the course and the parents/students/guardians joining in this academic year, shall be informed by the College so that they are aware of the hurdles that they will have to come across. The parents/students/guardians, if put on notice, can't later approach this Court to get the student's qualification approved by this Court based on the fact that there is rejection by the AICTE.

4. With the above observations, the Writ Petition is disposed of. No costs. Consequently, W.M.Ps. are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

CS
To

1. The Director,
Approval Bureau,
All India Council for Technical Education (AICTE),
Nelson Mandela Marg,
Vasant Kunj, New Delhi-110 007.
2. The Regional Officer,
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Chennai-600 006.
3. The Registrar,
Bharathiyar University,
Coimbatore.
4. The Commissioner,
Directorate of Technical Education,
Sardar Patel Road,
Guindy, Chennai.

+1cc to Mr.B.Rabu Manohar, Advocate, S.R.No.47760
+1cc to Mr.E.Vijayanand, Advocate, S.R.No.47758

W.P.No.13511 of 2018

BM 25/07/2018