

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.17781 of 2018

and

W.M.P.No.21055 of 2018

UIT Educational Trust,
Rep. by its Managing Trustee,
167, II Floor, Kannan Towers,
Hope College, Avinashi Road,
Peelamedu, Coimbatore-641 004.

... Petitioner

Vs.

1. Pharmacy Council of India,
Rep. by its Registrar,
Combined Councils' Building,
Temple Lane, Kotta Road,
Aiwan-E-Ghalib Marg,
New Delhi-110 002.
2. The Tamil Nadu Dr.M.G.R. Medical University,
Rep. by its Registrar,
No.69, Anna Salai,
Guindy, Chennai-600 032.
3. The Selection Committee,
Rep. by its Secretary,
Directorate of Medical Education,
162, EVR Periyar Salai,
Kilpauk, Chennai-600 032.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents herein to consider the representation of the petitioner, dated 29.06.2018 and grant Approval/Affiliation to the Pharmacy College run by the petitioner, namely United College of Pharmacy, No.2, Gudalore Village, Coimbatore North Taluk, Periyanaickenpalayam, Coimbatore-641 020, in the light of the order of the Hon'ble Apex Court in Indira Bahuuddeshiya Shik Sanstha and another Vs. Pharmacy Council of India and others: Writ Petition(s) (Civil).Nos.372 of 2014, dated 13.07.2016 and the order of the Hon'ble Allahabad High Court in W.P.No.19361 (M/S) of 2018, dated 05.07.2018.

For Petitioner : Mr.Doraisami, Senior Counsel for
M/s.Muthumani Doraisami

For Respondents : Mr.M.T.Arunan, Senior Counsel for R-1
Mr.D.Ravichander for R-2
Mrs.V.Annalakshmi,
Govt. Advocate for R-3

ORDER

The petitioner has come forward with the above Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents herein to consider the representation of the petitioner, dated 29.06.2018 and grant Approval/Affiliation to the Pharmacy College run by the petitioner, namely United College of Pharmacy, No.2, Gudalore Village, Coimbatore North Taluk, Periyanaickenpalayam, Coimbatore-641 020, in the light of the order of the Hon'ble Apex Court in Indira Bahuuddeshiya Shik Sanstha and another Vs. Pharmacy Council of India and others: Writ Petition(s) (Civil).Nos.372 of 2014, dated 13.07.2016 and the order of the Hon'ble Allahabad High Court in W.P.No.19361 (M/S) of 2018, dated 05.07.2018.

2. Heard both sides and perused the materials available on record.

3. It is seen that with regard to the subject matter in issue, the petitioner has already sent a representation, dated 29.06.2018. Hence, without going into the merits of the matter, this Court directs the first respondent to consider the said representation of the petitioner, conduct enquiry, afford an opportunity of personal hearing to the petitioner and necessary parties, including the affected parties, if any and if there is no legal impediment for considering the same, pass appropriate orders and dispose of the said representation in accordance with law, within a period of 15 days from the date of receipt of a copy of this order.

4. With the above observations/directions, the Writ Petition is disposed of. No costs. Consequently, W.M.P. is closed.

cs

13/07/2018

This writ petition having been listed this day for being mentioned pursuant to the order of this court dated 13.07.2018 in the presented of Mr.Doraisami, Senior counsel for M/s. Muthumani Doraisami, Advocate for the appellant and of Mr.M.T. Arunan, Standing counsel for R1 and Mr.D. Ravichander for second respondent and Mrs. V. Annalakshmi, Government Advocate for third respondent.

This petition is listed under the caption "for being mentioned" today.

2. In paragraph 3 of the order dated 13.07.2018, it was observed that, "..... this Court directs the first respondent to consider the said representation of the petitioner, conduct enquiry, afford an opportunity of personal hearing to the petitioner " .

3. It is made clear that on conducting enquiry, if required, inspection shall also be done.

4. The time limit mentioned in the said order dated 13.07.2018, shall run within one week from the date of receipt of a copy of this order.

5. In other respects, this Court's order dated 13.07.2018 passed in this Writ Petition, remains unaltered.
cs

Sd/-
Assistant Registrar(CS V)

//True copy//

Sub Assistant Registrar

cs

To

1. The Registrar, Pharmacy Council of India
Combined Councils' Building,
Temple Lane, Kotta Road,
Aiwan-E-Ghalib Marg,
New Delhi-110 002.
2. The Registrar, The Tamil Nadu
Dr.M.G.R. Medical University,
No.69, Anna Salai,
Guindy, Chennai-600 032.
3. The Secretary,
Selection Committee,
Directorate of Medical Education,
162, EVR Periyar Salai, Kilpauk,
Chennai-600 032.

+2ccs to Mr.Muthumani Doraisami, Advocate **SR.No.49902**

+1cc to Mr.M.T.Arunan, Advocate **SR.No.49699**

W.P.No.17781 of 2018

RJI (CO)
GN(16/07/2018)
EU 26.07.2018