

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

Writ Petition No.18087 of 2018
& W.M.P.Nos.21365 & 21366 of 2018

Sri Venkateswara College of Computer
Applications and Management,
Rep. by its Chairman,
Commander K.Velu (Retd.)
SF 348/1, 3G Road, Ettimadai,
Palakkad Road,
Coimbatore - 641 112. Petitioner

Versus

The Registrar,
Centre for Affiliation of Institutions,
Anna University,
Chennai - 600
025. Respondent

Prayer: Writ petition is filed under Article 226 of the
Constitution of India, praying for issuance of Writ of
Certiorarified Mandamus calling for the records relating to the
proceedings of the Respondent bearing Lr.No.227/CAI/AU/2018
dated 09.07.2018 in so far as it relates to not granting
provisional affiliation to MCA course for the academic year
2018-2019 and quash the same and consequently direct the
Respondent to permit the Petitioner Institute to admit students
for the MCA programme from the academic year 2018-2019 onwards.

For Petitioner :Mrs.Rita Chandrasekar

For Respondent :Mr.M.Vijayakumar

O R D E R

This Writ Petition has been filed for issuance of Writ
of Certiorarified Mandamus to quash the impugned order passed by
the respondent dated 09.07.2018 in so far as it relates to
refusal to grant application for M.C.A. courses for the academic

year 2018-2019 and consequently, directing the respondent to permit the petitioner Institute, to admit students for the M.C.A programme from the academic year 2018-2019 onwards.

2. The impugned order has been passed by the respondent stating that the petitioner is not entitled to provisional affiliation for the academic year 2018-2019, in view of the deficiency in faculty which is 41%. It is stated that on re-inspection conducted on 06.07.2018, it was found that the norms to have M.B.A courses were not satisfied. Though the writ petition was entertained by this Court, the petitioner has acknowledged that there is no admission for this year.

3. The learned counsel for the petitioner has produced before this Court, the affidavit filed by the administrative Officer and Authorized Signatory of the Petitioner Institute admitting the faculty deficiency. However, it is stated that approval granted in the first year can be utilized for making admission for the next year by lateral entry in the II year admissions and that the petitioner Institute will not be in a position to admit students for the next academic year unless there is technical approval this year. Without approval for this year, it is stated that even if it fulfill the criteria for the educational qualification for the faculty, the petitioner will not be permitted to make admission for the next year.

4. The learned counsel for the petitioner then states that the petitioner does not emphasise the statement made in the paragraph 2 of the Affidavit filed before this Court on 07.09.2018. However, the learned counsel states that the petitioner undertakes to appoint qualified persons to the post of Assistant Professor within a period of four weeks to carry over the vacancies for the ensuing academic year. The petitioner's request is for conditional approval. Since, the petitioner admits deficiency in faculty, the impugned order is well founded and no further order is necessary in this writ petition. However, in view of the undertaking given by the petitioner, the petitioner upon compliance of deficiency may request the respondent to inspect the petitioner's Institution.

Upon getting the invitation letter from the petitioner, the respondents shall inspect the petitioner's institution within a period of two weeks from the date of receipt of such letter from the petitioner and the respondent is further directed to consider the application for affiliation for the next academic year and pass appropriate orders, after giving sufficient opportunity to the petitioner regarding deficiency as may be pointed out by the respondent within a time stipulation.

5. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

bsm/tsg

To

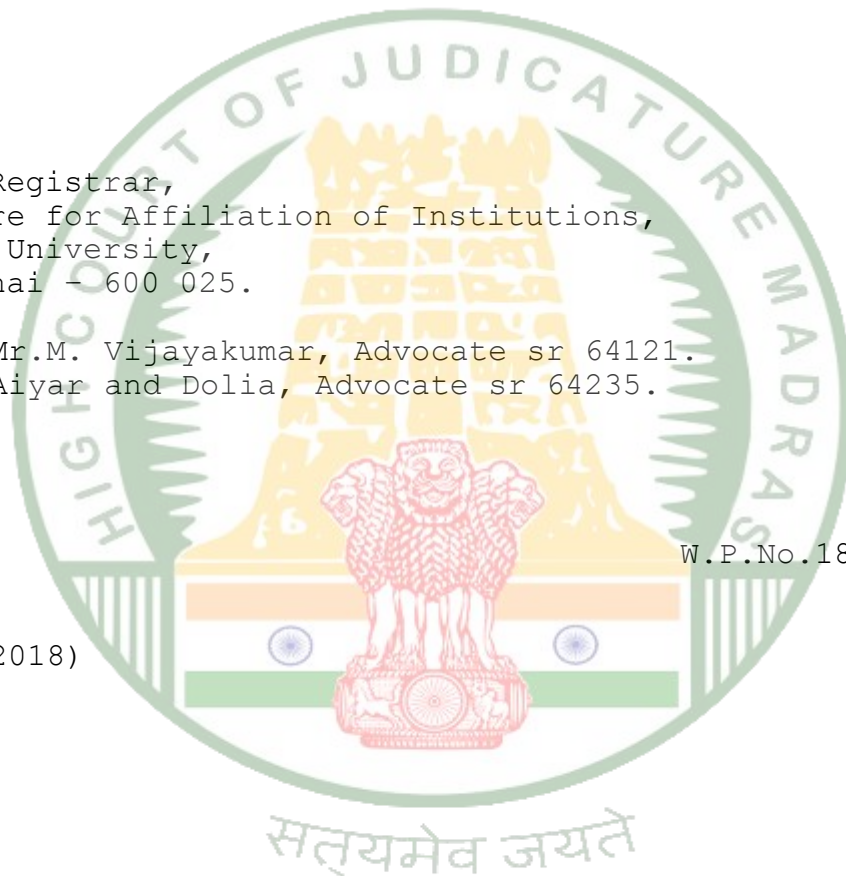
The Registrar,
Centre for Affiliation of Institutions,
Anna University,
Chennai - 600 025.

+1 CC to Mr.M. Vijayakumar, Advocate sr 64121.

+1 CC to Aiyar and Dolia, Advocate sr 64235.

W.P.No.18087 of 2018

SP(20/09/2018)



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