

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.11.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.29839 of 2018
and W.M.P. No.34832 of 2018

Alsalama College of Optometry and Health Sciences,
SF 348/1, 3G Road,
Ettimadai, Coimbatore-641 112
rep. by its Chairman.

.. Petitioner

Versus

1.Bharathiar University,
represented by its Registrar,
School of Distance Education,
Coimbatore-641 046.

2.The Director,
Center for Collaboration of
Industries and Institutions, (CCII)
Bharathiar University,
Coimbatore.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to register the names of the students forwarded by the petitioner Institution to the first respondent University vide letter dated 15.10.2018 who have been admitted by the petitioner Institution in B.Com. Computer Application, B.Sc. Interior Design, B.Sc. Optometry & M.Sc. Optometry in terms of MOU dated 08.12.2017 and issue register number after verifying their original certificates so as to complete their respective courses.

For Petitioner : Mr.P.K.Ibrahim for
M/s.Chennai Law Associates

For Respondents: No appearance

ORDER

This writ petition has been filed by the Alsalama College of Optometry and Health Sciences for issuance of a writ of mandamus seeking a direction to the respondents to register the names of the students forwarded by them to the first respondent University vide letter dated 15.10.2018 in terms of MOU dated

08.12.2017 and issue register number after verifying their original certificates so as to complete their respective courses.

2.The learned counsel appearing for the petitioner submitted that the petitioner Institution and the Bharathiar University, the respondents herein have entered into a Memorandum of Understanding (MOU) dated 08.12.2017, which is valid till 07.12.2019. As per the said MOU, the petitioner has been given approval to conduct various courses and the courses approved by the first respondent have been enlisted in the certificate dated 29.12.2017. In view thereof, the petitioner Institution has paid money payable to the respondents University by way of two demand drafts, namely, one for Rs.1,00,000/- and the other for Rs.75,000/- for conducting the approved courses. He would further submit that as per the said MOU, the petitioner enrolled the students for various courses approved by the respondents University in the academic year 2017-18 and they have been granted registration by the respondents and those students are thus pursuing their courses under the respondents University. Despite the fact that the admission of the students for the academic year 2018-19 has been informed, the University has not taken any action to register the name of the candidates admitted by the petitioner. Hence, the petitioner is before this Court.

3.No one appears for the respondents even after service of notice.

4.As the Memorandum of Understanding dated 08.12.2017 entered into between the petitioner Institution and the respondents University indicates that the MOU is valid till 07.12.2019 and Clause 4 of the MOU also shows, besides the University has decided to recognise the petitioner as an approved Institution for conducting courses as described in the table shown in the MOU and the Petitioner Institution has enrolled the students for various courses for the academic year 2018-19, further now they are pursuing their courses under the respondents University and the admission process for various courses for the said academic year started in June 2018, the respondents University have not taken any action to register the names of the candidates admitted by the petitioner Institution, therefore, the letter dated 15.10.2018 containing lists of the students admitted by the petitioner for courses in B.Sc. Optometry, M.Sc. Optometry, B.Sc. Interior Design & B.Com. Computer Application made by the petitioner to the second respondent University for registration deserves to be considered by the respondents. Hence, the respondents are directed to consider the said letter dated 15.10.2018 and pass appropriate orders, on merits and in accordance with law, within a period of one week from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. Consequently, connected W.M.P. is closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vga

To

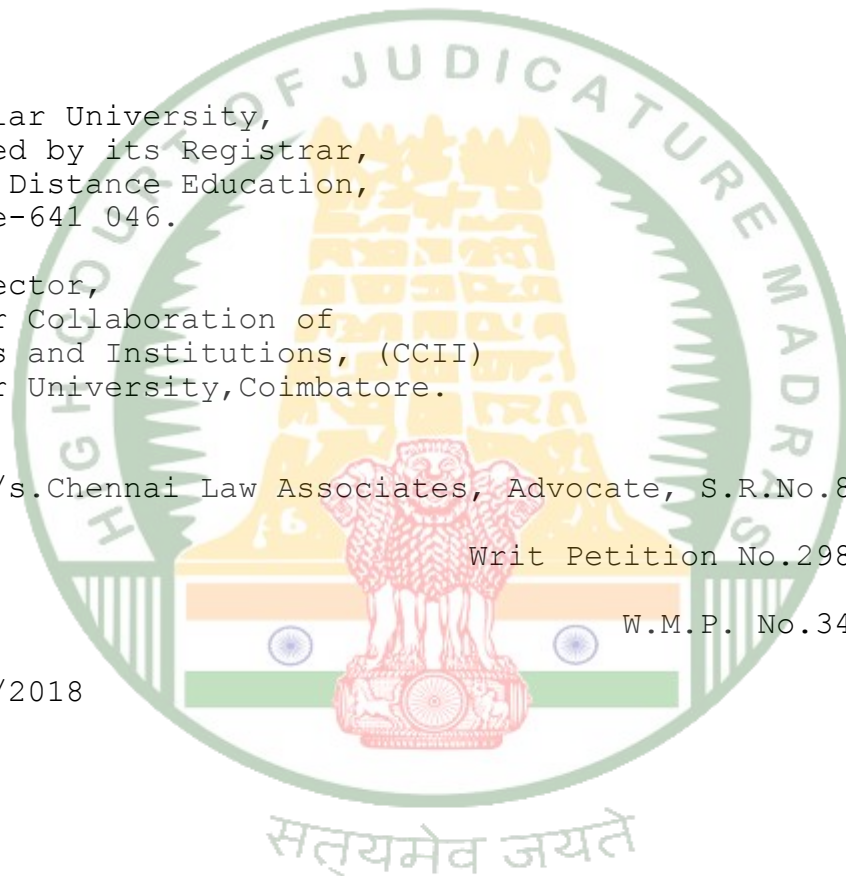
1. Bharathiar University,
represented by its Registrar,
School of Distance Education,
Coimbatore-641 046.

2. The Director,
Center for Collaboration of
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Bharathiar University, Coimbatore.

+1cc to M/s. Chennai Law Associates, Advocate, S.R.No.82433

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rrs 04/12/2018



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