



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.1252 of 2018

and

WMP (MD) Nos.1338 and 1339 of 2018

Shrddi Saibaba Community College,
by its Coordinator,
Marimuthu
17E - 1, AKS Swarnamahahal Complex,
Kovilpatti - 628 501,
Tuticorin District.

.. Petitioner

Vs.

1. The State of Tamil Nadu,
rep.by its Chief Secretary,
Health & Family Welfare Department,
Fort George,
Chennai - 09.
2. The Registrar,
Bharathiyar University,
Coimbatore.
3. The Joint Director of Medical,
Health and Family Welfare Department,
Tenkasi,
Tirunelveli District.
4. The Joint Director of Medical,
Health and Family Welfare Department,
Kovilpatti,
Thoothukudi District.
5. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.
6. The Sub Inspector of Police,
Kovilpatti Town Police Station,
Tuticorin District.
7. The Inspector of Police,
Sankarankoil Town Police Station,
Tirunelveli District.

... Respondents



Petition filed under Article 226 Constitution of India to issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the third respondent dated 18.12.2017 and quash the same and consequently direct the respondents forbearing the respondents to interfere with their consultancy centre namely Shrdi Saibaba Community College at Kovilpatti, Tuticorin District.

For Petitioner	:	Mr.S.Muniyandi
For R1, 3 to 7	:	Mr.Aayiram K.Selvakumar Additional Government Pleader
For R2	:	Mr.M.Rajarajan Government Advocate

ORDER

This writ petition has been filed seeking to quash the impugned order passed by the third respondent dated 18.12.2017 and consequently forbear the respondents from interfering with the consultancy centre namely Shrdi Saibaba Community College at Kovilpatti, Tuticorin District.

2.According to the petitioner, the petitioner is running an institute, conducting training courses for Diploma in Health Assistant, Diploma in Health and Welfare Assistant and Diploma in Naturopathy and all those courses were approved by Bharathiyar University and the University has also given certificate to the petitioner. Apart from that, the petitioner has also got approval from Bharat Seva Samaj for running the above institute. Now, the third respondent has inspected the institution and subsequently sealed the premises without any enquiry whatsoever. Aggrieved by the same, this writ petition has been filed.

3.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that now the petitioner is not interested in running the institute and he wants to close the same. He has also filed an undertaking affidavit before this Court stating that as the landlord asked the petitioner to vacate the premises, he has to vacate it, and he will not conduct any course in the above said premises in future. In the above circumstances, he prayed to remove the lock and seal.

4.Considering the fact that now the petitioner wants to close the institution and he has also given undertaking that he will not conduct any course in future in the above premises, the petitioner is directed to approach the third respondent and file an affidavit to that effect and on filing such affidavit, the third respondent is directed to consider the same and remove the lock and seal of the premises.



5. With the above direction, this writ petition is disposed of. No costs. Consequently, WMP(MD)Nos.1338 and 1339 of 2018 are closed.

WEB COPY

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Secretary,
State of Tamil Nadu,
Health & Family Welfare Department,
Fort George, Chennai - 09.
 2. The Registrar,
Bharathiyar University,
Coimbatore.
 3. The Joint Director of Medical,
Health and Family Welfare Department,
Tenkasi, Tirunelveli District.
 4. The Joint Director of Medical,
Health and Family Welfare Department,
Kovilpatti, Thoothukudi District.
 5. The Revenue Divisional Officer,
Kovilpatti, Tuticorin District.
 6. The Sub Inspector of Police,
Kovilpatti Town Police Station,
Tuticorin District.
 7. The Inspector of Police,
Sankarankoil Town Police Station,
Tirunelveli District.
- + 1 CC TO Mr.M.RAJARAJAN, ADVOCATE IN SR No. 49701
+ 1 CC TO Mr.S.MUNIYANDI, ADVOCATE IN SR No. 49446
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 50226

MJ

TE/SV-MMS/SAR-2 : 07/03/2018 : 3P/11C

<https://hcservices.ecourts.gov.in/hcservices/>

WP (MD) No.1252 of 2018
19.02.2018