



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :31.07.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P. (MD)No.8591 of 2017

and

W.M.P. (MD) .Nos.6517 and 6518 of 2017

B.T.K.Educational Trust,
Represented by its Correspondent B.T.Arasakumar,
No.5, M.P.Avenue Majestic Colony,
Saligrammam, Chennai 93.

: Petitioner

Vs.

1.The Director,
Collegiate of Education,
Chennai-600 006.

2.The District Revenue Officer,
Office of the District Revenue Office,
Puthukottai.

3.The Joint Director,
Collegiate of Education,
Thiruchirappalli Region,
Thiruchirappalli.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records in respect of the impugned notices issued by the first respondent vide Na.Ka.No.57952/R3/2011, dated 17.03.2017 and consequently directing the respondents to process the petitioner's application dated 27.12.2012 and was starting Arts and Science College solely based on the recommendations of the second and third respondents and also in compliance with the directions issued by this Court in W.P. (MD).No.5937 of 2016, order dated 11.07.2016, and within a time frame fixed by this Court.

For Petitioner : Mr.E.Vijay Anand

For Respondents : Mr.J.Gunaseelanmuthiah

Additional Government Pleader

ORDER

The petitioner has come forward with this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus to call for the records in respect of the impugned notices issued by the first respondent vide Na.Ka.No.57952/R3/2011, dated 17.03.2017 and consequently direct the respondents to process the petitioner's application dated 27.12.2012 for starting Arts and Science College



solely based on the recommendations of the second and third respondents and also in compliance with the directions issued by this Court in W.P.(MD).No.5937 of 2016, order dated 11.07.2016.

2. Heard Mr.E.Vijay Anand, learned counsel appearing for the petitioner and Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader appearing for the respondents.

3. The petitioner's request for starting a self financing Arts and Science College was returned through the impugned order dated 17.03.2017, pointing out six deficiencies. The said impugned order came to be passed, pursuant to the order of this Court dated 11.07.2016, passed in W.P.(MD).No.5937 of 2016.

4. Today, when the matter was called the learned counsel for the petitioner submitted that they are willing to rectify the deficiencies pointed out by the first respondent herein, within a period of two weeks. In case, these deficiencies are rectified, there may not be any impediment for the first respondent to consider the petitioner's request for granting approval for the proposed self financing College, since the six deficiencies pointed out in the impugned order seems to be the only impediment for keeping petitioner's application pending.

5. In the light of the observations, the petitioner is granted liberty to rectify the six deficiencies and submit the proof of said rectification to the first respondent herein within a period of three weeks from the date of receipt of this order. On receipt of such a rectification report from the petitioner herein, the first respondent shall take the petitioner's application dated 27.12.2012 on file and pass necessary orders granting approval to the petitioner's trust for starting the Arts and Science College. Such an exercise of granting approval shall be made within a period of four weeks from the date of receipt of the rectification report from the petitioner.

6. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Director,
Collegiate of Education,
Chennai-600 006.



2.The District Revenue Officer,
Office of the District Revenue Office,
Puthukottai.

3.The Joint Director,
Collegiate of Education,
Thiruchirappalli Region,
Thiruchirappalli.

+1cc to M/S.E.Vijay Anand, Advocate SR.No. 76353

+1cc to Special Government Pleader, SR.No. 76263

W.P. (MD) No.8591 of 2017
and

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sjj

JM/SKN RSK/SAR 4/07.08.2018/3P/6C