

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.06.2019
CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.14180 of 2019
and WMP.Nos.14234 & 14235 of 2019

Vallivalam Desikar Polytechnic College
Rep. by its Chairman,
Mrs.Ezhilarasi,
Pannai Illam, Vallivalam Village,
Thirukuvalai Taluk,
Nagapattinam District.

...Petitioner

Versus

- 1.All India Council for Technical Education (AICTE)
Rep. by Member Secretary,
Nelson Mandela Marg, Vasanth Kunj,
New Delhi.
- 2.The Regional Officer,
Southern Regional Office,
All India Council for Technical Education (AICTE),
Shastri Bhavan,
26, Haddows Road,
Nungambakkam,
Chennai-6.
- 3.The Commissioner of Technical Education,
Office of the Commissioner of Technical Education,
Sardar Patel Road,
Guindy,
Chennai.

...Respondents

PRAYER:Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari calling for records of the 1st respondent dated 25.04.2019 in F.No.Southern/1-4260157106/2019/EOA insofar as reducing 25% intake of students and quash the same.

For Petitioner	:	Mr.N.A.Nissar Ahmed
For Respondents	:	Mr.Rabu Manohar Standing Counsel (AICTE)

O R D E R

The petitioner is the Chairman of the Governing Council of Vallivalam Desikar Polytechnic College, Nagapattinam, a reputed and renowned institution established in the year 1965 and it is a government aided institution. The institution imparts diploma courses in civil engineering, machine engineering, electrical and electronic, computer, refrigeration and air conditioning, electronics and communication, electronics (robotics), as full time courses in Civil, Electrical and Electronics with an intake of 60 students each and mechanical with intake of 30 students. Apart from that there will be a lateral entry of 20% of intake and from the present year it is supposed to be 10% of intake. There was a short fall of teaching staff for which the petitioner has made a representation to the 3rd respondent to fill up the existing entry level vacancies. In view of the short fall in the teaching staff, the 2nd respondent ordered 15% reduction for all the courses. Though the petitioner had submitted her explanation that the deficiency in faculty was due to the 3rd respondent and also that the institution would fill up the vacancies after the elections are over, the 1st respondent vide proceedings dated 25.04.2019 has ordered 25% reduction in intake instead of 15%. Aggrieved by the said order, the petitioner has filed the present writ petition.

2. Heard Mr.N.A.Nissar Ahmed, learned counsel for the petitioner and Mr.B.Rabu Manohar, learned counsel for the respondents.

3. Mr.B.Rabu Manohar, learned Counsel for the respondents submitted that the petitioner has not made any representation before the 1st respondent with regard to intake of students. If any such representation is made, the same will be considered in accordance with law.

4. The learned counsel for the petitioner submitted that it would suffice if their representation is considered by the respondent and pass orders with regard to intake of students.

5. In view of the limited prayer sought for by the petitioner, without going into the merits of the case, there shall be a direction to the petitioner to make a representation to the 1st respondent with regard to intake of students and on receipt of such representation, the 1st respondent is directed to consider the representation on merits and pass orders in accordance with law within a period of two weeks from the date of receipt of representation of the petitioner.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Member Secretary,
All India Council for Technical Education (AICTE),
Nelson Mandela Marg, Vasanth Kunj,
New Delhi.
- 2.The Regional Officer,
Southern Regional Office,
All India Council for Technical Education (AICTE),
Shastri Bhavan, 26, Haddows Road,
Nungambakkam, Chennai-6.
- 3.The Commissioner of Technical Education,
Office of the Commissioner of Technical Education,
Sardar Patel Road, Guindy,
Chennai.

+1cc to Mr.Rabu Manohar, Advocate sr.45649
+1cc to Mr.N.A.Nissar Ahmed, Advocate sr.45869

nr 11/06/2019 W.P. No.14180 of 2019
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