



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.09.2019**

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.19789 of 2019

WEB COPY

1.Arun Kumar.P

2.R.Hariharasuthan

... Petitioners

/vs./

1.The Chairman,

All India Council for Technical Education,
7th Floor, Chandralok Building,
Janpath, New Delhi - 110001.

2.The Commissioner of Technical Education (FAC),
Directorate of Technical Education,
53, Sardar Patel Road,
Guindy, Chennai - 600025.

3.The Regional Officer,
All India Counsel for Technical Education,
Shastri Bhavan, 26 Haddows Road,
Nungambakkam, Chennai - 600006.

4.Suthanthira Polytechnic College,
Represented by its Secretary,
S.Radhakrishnan,
No.5/43, Padma Pavithra Illam,
Thanthai Periyar Nagar,
Sekkalaikottai,
Karaikudi - 630002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to consider the representation made by the petitioners dated 10-07-2019 and expeditiously issue the Diploma Certificates of students of the 4th Respondent Institution who were admitted for the Academic Year 2015-2016.

For Petitioners : Ms.R.Murugeshwari

For R-1 & R-3 : Mr.N.Dilipkumar
Standing Counsel

For R-2 : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Ms.R.Murugeshwari, learned counsel on record for writ petitioners is before this Court.

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2. Mr.N.Dilipkumar, learned Standing Counsel accepts notice for respondents 1 and 3 and Mr.K.Mu.Muthu, learned Additional Government Pleader, accepts notice on behalf of respondent No.2.

3. To be noted, respondent No.4 is a private respondent. In the hearing, learned counsel for writ petitioners restricts the prayer to disposal of representation. From the abridged prayer it comes to light that an order, which is not adverse to respondent 4 (private respondent) can be passed, after making sufficient and adequate safe-guards in this regard.

4. With consent of learned counsel on record for writ petitioners, learned Additional Government Pleader, who accepts notice on behalf of respondent No.2 (official respondent) and learned standing counsel who accepts notice on behalf of respondents 1 and 3, main writ petition is taken up, heard out and is being disposed of.

5. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioners' representation dated 10.07.2019 wherein writ petitioners have requested issuance of Diploma certificate qua 4th respondent College for the academic year 2015-16.

6. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioners (as mentioned supra) abridges the scope of the writ petition and submits that it will suffice if the respondents are directed to dispose of the aforementioned representation of the writ petitioners, dated 10.07.2019, details of which have been alluded to supra.

7. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 10.07.2019 made by the writ petitioners (page Nos.14 & 15 of the typed set of papers forming part of the case file).

8. Though obvious, it is made clear that petitioners abridging the prayer will not tantamount to writ petitioners giving up the contentions raised in the writ petition. In other words, all contentions raised in the writ petition are left open.

9. The aforesaid representation dated 10.07.2019 shall first be taken up by the first respondent who shall give a report to the second respondent on the merits of the matter, within a period of a fortnight from the date of receipt of a copy of this order and the second respondent shall thereafter dispose of the representation within a fortnight therefrom.

put on not
parties or

12. Instant Writ Petition is disposed of with the above directions. No costs.

Assistant Registrar (CO)

Sub Assistant Registrar (CS)

1.The Chairman,

3.The Regional Officer,

+1 CC to M/s.MURUGESHWARI, Advocate (SR-87117[F] dated 17/09/2019)
+1 CC to SPL GP (SR-87263[F] dated 17/09/2019)
+1 CC to Mr.N.DILIP KUMAR, Advocate (SR-86829[F] dated 16/09/2019)

W.P (MD) No.19789 of 2019

Dated:16.09.2019

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