

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 6250 of 2020

T.Marappan

... Petitioner

Vs.

1. The All India Council for Technical Education
Represented by its Chairman
Standing Complaining Scrutiny Committee
Nelson Mandela Marg
Vasant Kunj
New Delhi - 110 070.

2. Centre for Affiliation of Institution
Represented by its Director
Anna University
Guindy, Chennai - 600 025.

3. Knowledge Institute of Technology
Represented by its Principal
Dr. PSS Srinivasan
KIOT Campus, Kakapalayam
Salem - 637 504.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the First Respondent to consider the representation dated 17.02.2020 made by the Petitioner herein and to dispose the complaint dated 19.08.2019, filed by the petitioner pending on the file of the 1st respondent within a specified time fixed by this Court.

For Petitioner : Mrs. Vi.Latha
For M/s.Yogesh Kannadasan

For Respondents: Mr. B.Rabu Manohar (For R1)
Mr. M.Vijayakumar (For R2)
Mr. G.R.M.Palanisamy (For R3)

O R D E R

Heard Mrs. Vi.Latha for M/s.Yogesh Kannadasan, Learned Counsel for the Petitioner and Mr. B.Rabu Manohar, Learned Counsel for the First Respondent, Mr. M.Vijayakumar, Learned

Counsel for the Second Respondent and Mr. G.R.M.Palanisamy, Learned Counsel for the Third Respondent and also perused the documents enclosed in the typed set of papers.

2.The petitioner stated in the affidavit filed in support of this writ petition that he was the President of the Knowledge Institute of Technology Trust from 2008 to 2014, which Trust floated the third respondent Engineering College and received the approval of the first respondent vide File No.017/08/TN/E&T 2009/13 dated 22.05.2009. The petitioner further stated that pointing out that the said College was being run in violations of the AICTE rules and regulations, by collecting excess fees, leasing out the building for commercial purpose, fake faculty, etc., he lodged a complaint dated 19.08.2019 to the first respondent, which inturn, after calling upon the petitioner to submit the documentary evidence and being satisfied with the same, issued a notice dated 25.11.2019 to the Principal of the third respondent for enquiry. Pursuant to the same, the third respondent submitted objections on 17.12.2019, to which, the petitioner sent his reply on 28.12.2019. Thereafter, no order was passed on the said complaint. Stating that the third respondent has now, opened admissions for the academic year 2020-2021 and the inaction on the part of the first respondent would lead to more students live at risk, the petitioner submitted a representation dated 17.02.2020 to the first respondent to pass orders on the complaint dated 19.08.2019, which is kept pending without any consideration. Therefore, he has come up with this writ petition seeking a direction to the first respondent in this regard.

3.Considering the limited relief sought in this writ petition, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 17.02.2020, and pass appropriate orders, on the complaint dated 19.08.2019, on merits and in accordance with law, after providing an opportunity of hearing to the petitioner as well as the third respondent within a period of eight (8) weeks from the date of receipt of a copy of this order.

4.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Maya

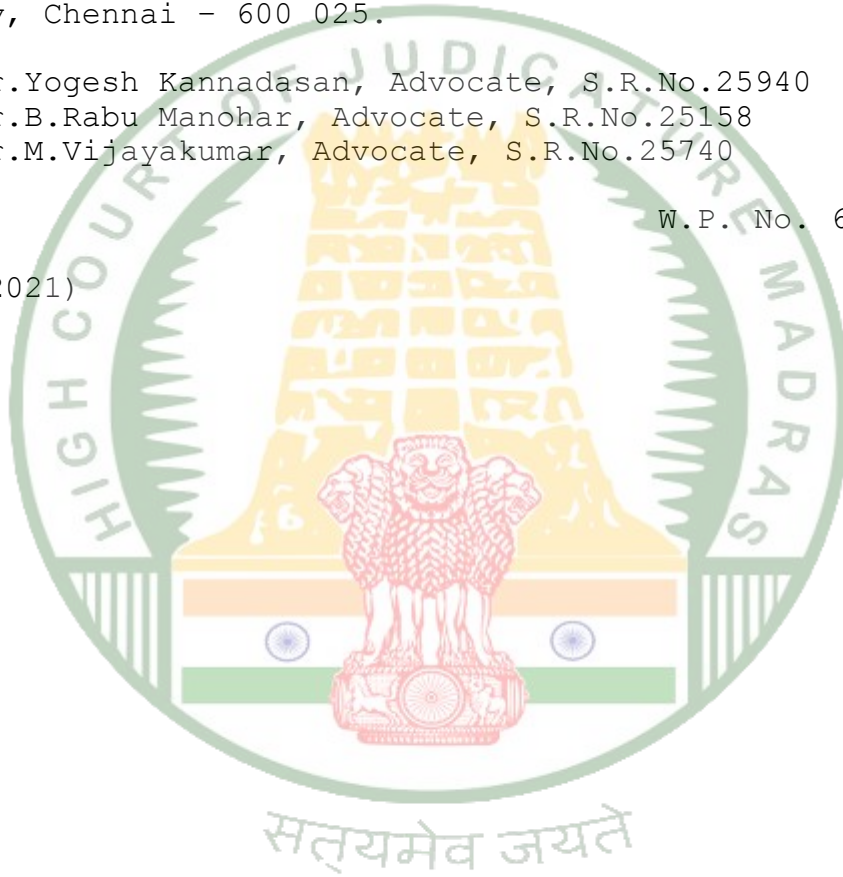
To

1. The Chairman,
All India Council for Technical Education
Standing Complaining Scrutiny Committee
Nelson Mandela Marg, Vasant Kunj
New Delhi - 110 070.
2. The Director, Centre for Affiliation of Institution
Anna University
Guindy, Chennai - 600 025.

+1cc to Mr.Yogesh Kannadasan, Advocate, S.R.No.25940
+1cc to Mr.B.Rabu Manohar, Advocate, S.R.No.25158
+1cc to Mr.M.Vijayakumar, Advocate, S.R.No.25740

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GSM(CO)
CB(08/07/2021)



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