

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30/3/2021

CORAM

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.8176 of 2021

a n d

W.M.P.No.8726 of 2021

P. Perichi Gounder Memorial Charitable Trust
rep. By its Chairman and Managing Trustee
Dr.L.P.Thangavelu
No.1 Alamu Nagar, Sathy Road
Coimbatore 641 012.

...Petitioner

Vs

1. The Principal Secretary to Government of Tamil Nadu
Health and Family Welfare Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009.
2. The Director of Medical Education
Kilpauk
Chennai 600 010.
3. The Vice Chancellor
The Tamil Nadu Dr. MGR Medical University
Guindy
Chennai 600 032.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to grant permission to the petitioner Trust to start the course Bachelor of Occupational Therapy in its institution in the name and style of PPG College of Occupational Therapy in its premises for the academic year 2021 - 2022.

For petitioner : Mr.V.Karthic
Sr. Advocate
for Mr.A.S.Balaji

For respondents : Mr.M.Elumalai
Additional Government Pleader
for R.1.

: Mr.E.Manoharan
Special Government Pleader
for R.2.

ORDER

This Writ Petition has been filed to direct the respondents to grant permission to the petitioner Trust to start the course Bachelor of Occupational Therapy in its institution in the name and style of PPG College of Occupational Therapy in its premises for the academic year 2021 - 2022.

2. The case of the petitioner is that he is the Chairman and Managing Trustee of the petitioner Trust, who is administering various Colleges and Schools at Saravanampatti, Coimbatore, viz., PPG College of Nursing, PPG College of Physiotherapy, PPG College of Education, PPG Teachers Training Institute, PPG Institute of Technology, PPG Business School, Alchemy Public School, PPG College of Allied and Health Sciences, PPG College of Pharmacy and PPG College of Arts and Science. Petitioner is intended to start a new College for offering degree course in occupational therapy from the academic year 2017 - 2018. Hence submitted an application to the second respondent, on 15/8/2017 and also said to have paid a sum of Rs.50,000/-, by way of Demand Draft, in the name of the second respondent, on 16/8/2017, for the cost of application and for grant of No Objection Certificate to the petitioner Trust. Pursuant to the same, it appears that the second respondent has conducted an inspection, on 28/6/2018 and a report was also submitted by the inspection team to the Director of Medical Education. Thereafter, the Director of Medical Education, by letter, dated 23/7/2018, sent a communication to the petitioner Trust, raising certain queries. On 4/9/2018, the Trust has sought some time to comply with the required formalities. Later, the petitioner Trust submitted the particulars in compliance with the formalities, along with a fixed deposit receipt for Rs.10 lakhs towards security deposit and a bank guarantee for Rs.35 lakhs before the Director of Medical Education as sought for in their communication, dated 9/10/2017.

3. According to the learned Senior Counsel appearing for the petitioner, the petitioner Trust has complied with all the requirements as demanded by the respondents 1 and 2 for grant of No Objection Certificate to offer Bachelor of Occupation Therapy course in its premises. But despite the same, his application has not been considered by the respondents and therefore, this petitioner has approached this Court for the relief as stated supra.

4. This Court, without expressing anything on the merit of the application, dispose of the writ petition, with a direction to the respondents 1 and 2 to consider the representation of the petitioner, for grant of No Objection Certificate to the petitioner trust, for starting a Bachelor of Occupational

Therapy course, within a period of six weeks, from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition No.8726 of 2021 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Principal Secretary to Government of Tamil Nadu
Health and Family Welfare Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009.
2. The Director of Medical Education
Kilpauk
Chennai 600 010.
3. The Vice Chancellor
The Tamil Nadu Dr. MGR Medical University
Guindy
Chennai 600 032.

+1 cc to Mr.A.S.Balaji, Advocate, SR.No.21576
+1 cc to Government Pleader, SR.No.21031

Writ Petition No.8176 of 2021

PCH(CO)
NS(17/05/2021)

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