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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26813 of 2021

and

W.M.P.No.28255 of 2021

Mahalakshmi Engineering College,
C/o.Shri Mahalakshmi Trust,
No.1, Srinivasa Pillai Street,
West Mambalam,
Chennai-600 033.

...Petitioner

Vs.

1. Anna University,
Rep. By Registrar,
Sardar Patel Road,
Guindy, Chennai - 600 025.
2. The Anna University,
Rep. By its Director,
Centre for Affiliation of Institution,
Anna University, Chennai-600 025.
3. The Secretary,
Tamilnadu Engineering Admission,
Directorate of Technical Education,
Chennai-600 025.
4. The Department of Technical Education,
Rep. By Director of Technical Education,
DOTE Campus, Chennai-600 025.
5. The All India Council for Technical Education,
Rep. By its Member-Secretary,
Nelson Mandela Marg,
Vasanth Kunj, New Delhi-110 010.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to consider and dispose the representation of the petitioner dated 25.10.2021 seeking grant of provisional affiliation for the B.E. Courses offered by the petitioner college having extension of approval from AICTE for the academic



year 2021-2022 following publication of revised academic calendar dated 25.10.2021 of AICTE and order of Tamilnadu Government to hold Second Phase of TNEA-DOTE Counselling vide G.o.(Ms) No,235 of Higher Education Department(J2) dated 25.11.2021 and consequently direct the 3rd and 4th respondents to include the petitioner college to participate in the admission process for B.E. Programme through second phase of TNEA-DOTE Online counselling process for the academic year 2021-2022 within time stipulated by this Hon'ble Court may deem fit and proper under the circumstances of the case.

For Petitioner : Mr.K.Shakespeare
For Respondent R1 & R2 : Mr.M.Vijayakumar
Standing Counsel
For Respondent R3 & R4 : Mr.C.Jayaprakash
Government Advocate
For Respondent R5 : Mr.Rabu Manohar
Standing Counsel

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents 1 and 2 to consider the petitioner's representation dated 25.10.2021 seeking grant of provisional affiliation for the B.E. Courses offered by the petitioner college having extension of approval from AICTE for the academic year 2021-2022 following publication of revised academic calendar dated 25.10.2021 of AICTE and order of Tamilnadu Government to hold Second Phase of TNEA-DOTE Counselling vide G.o.(Ms) No,235 of Higher Education Department (J2) dated 25.11.2021 and consequently direct the 3rd and 4th respondents to include the petitioner college to participate in the admission process for B.E. Programme through second phase of TNEA-DOTE Online counselling process for the academic year 2021-2022 within time stipulated by this Hon'ble Court may deem fit and proper under the circumstances of the case.

2. The case of the petitioners is that the petitioner college was established in the year 2010. The petitioner has made application dated 24.04.2021 before AICTE to obtain provisional affiliation for the B.E. Courses offered in the petitioner college and the same was rejected by them on 24.09.2021. Thereafter, the petitioner made representation before the Anna University on 07.08.2021 seeking for grant of provisional affiliation and thereby, Anna University vide letter dated 09.08.2021 directed the petitioner college to pay the balance affiliation fees and the same was paid by the petitioner



college. Thereafter, the petitioner made representation on 25.10.2021 following grant of approval to twenty Colleges by AICTE on 05.10.2021 and publish of revised academic calendar by AICTE based on Apex Court order dated 25.10.2021, however, till date the representation is pending for consideration and till date no order has been passed. Hence, this Writ petition.

3.The learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents 1 and 2 herein to consider the petitioners' representation and issue provisional affiliation for the B.E. Courses offered in the petitioner college as early as possible.

4.The learned Standing Counsel for respondents 1 and 2 fairly conceded that if the revised calendar permits, the petitioner's representation dated 25.10.2021 will be considered in the manner known to law within the time stipulated by this Court.

5. Recording the aforesaid submissions of the learned counsel for the petitioner and the standing counsel for the respondents, this Court issues direction to the respondents 1 and 2 to consider the petitioner's representation dated 25.10.2021 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. However, this Court is not inclined to provide any relief regarding the 2nd portion of the prayer sought for by the petitioner since it is not sustainable to permit the petitioner college to participate in the second phase of online counselling conducted by TNEA-DOTE without obtaining Provision Affiliation.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

skt

To

1. The Registrar,
Anna University,
Sardar Patel Road,
Guindy, Chennai - 600 025.



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2. The Director,
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Centre for Affiliation of Institution,
Anna University, Chennai-600 025.
3. The Secretary,
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Directorate of Technical Education,
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Department of Technical Education,
DOTE Campus, Chennai-600 025.
5. The Member-Secretary,
All India Council for Technical Education,
Nelson Mandela Marg,
Vasanth Kunj, New Delhi-110 010.

+1cc to Mr.Rabu Manohar, Advocate, S.R.No.67438
+1cc to Mr.M.Vijayakumar, Advocate, S.R.No.68022
+1cc to the Government Pleader, S.R.No.67948

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NSK 05/01/2022