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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. No.21882 of 2018

and

W.M.P.Nos. 25678 & 25679 of 2018

Suthanthira Polytechnic College,
rep. by its Secretary,
S. Radhakrishnan

...Petitioner

Versus

1. The Chairman,
All India Council for Technical
Education,
7th Floor, Chandralok Building,
Janpath, New Delhi - 110 001.
2. The Commissioner of Technical
Education (FAC),
Directorate of Technical Education,
53, Sardar Patel Road,
Guindy, Chennai-600 025.
3. The Regional Officer,
All India Council for Technical
Education,
Shastri Bhavan, 26, Haddows Road,
Nungambakkam, Chennai-600 006.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records of proceeding No.40288/H4/2015, dated 07.12.2017 issued by the 2nd respondent to the petitioner institution and quash the same.

For Petitioner : Mr.Naveen Kumar Murthi



For Respondents : Mr.E.Sundaram,
Govt. Advocate for R2
Mr. Rabu Manohar for R1 and R3

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O R D E R

This Writ Petition has been filed challenging the order passed by the 2nd respondent withholding the Diploma Certificate of the students studying in the petitioner's Polytechnic.

2. The grievance of the petitioner is that, the petitioner is running a Polytechnic after getting approval from the AICTE and other authorities. Due to some problem in the year 2015-16, AICTE withhold the approval. In view of the same, the 2nd respondent earlier passed an order transferring the students admitted in the petitioner's Polytechnic in the year 2015-2016. However, that order was subsequently cancelled and the students are also permitted to continue the course in the petitioner's polytechnic. Accordingly, the students were allowed to write the examination FOR sixth semester. In the impugned order of the 1st respondent, it is stated that, the Diploma Certificate of the students should be withheld till the approval granted by AICTE.

3. Mr. Naveen Kumar Murthi, learned counsel appearing for petitioner would submit that, now the students have completed the course and pending Writ Petition, the AICTE has also granted approval to the petitioner Polytechnic for the academic year 2015-16. In the said circumstances, the certificate withheld by the 2nd respondent may be despatched to the students.

4. The learned counsel appearing for respondents 1 and 2 AICTE, on instructions, would submit that by an order dated 12.03.2018, AICTE has granted approval to the petitioner polytechnic for the academic year 2015-2016 and he has also produced the copy of the order.

5. Heard and considered rival submissions made by learned counsel appearing for both sides and perused the records.

6. Considering the fact that, the learned counsel appearing for respondents 1 and 3 AICTE, on instructions, that AICTE has granted approval and there is no objection for despatching the certificates to the students. In the said circumstances, as the retrospective approval has been granted to the petitioner polytechnic, the 2nd respondent is directed to despatch the certificate subject to the production of approval granted by



AICTE within a period of eight weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

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s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rpp

To

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+1 CC to Mr.R.Rabu Manohar, Advocate sr 15009

+1 CC to Mr.Naveen Kumar, Advocate sr 15014

+1 CC to The Government Pleader sr 15486.

W.P.No.21882 of 2018

GP(CO)
SP(11/05/2022)