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WP.No.22540 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.22540 of 2017 &

WMP.No.23668 of 2017

N.Lakshmi Prabha

... Petitioner

Vs

1. The Chairman,
All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi – 110 067.

2. The Member Secretary,
All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi – 110 067.

... Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Certiorafied Mandamus to call for the records pertaining to the proceedings in F.No.27/RIFD/Pay/01/2017 – 18 dated 28.04.2017 on the file of the second respondent and quash the same as illegal, incompetent and ultravires in so far as the course of Power Electronics and Drive is concerned and consequently direct the respondents



WP.No.22540 of 2017

to include the course of Power Electronics and Drive under Electronic and Communication Engineering.

For Petitioner : Mr.R.Jayapakash

For Respondents : Mrs.A.L.Ganthimathi

ORDER

This writ petition has been filed quash the proceedings of the second respondent dated 28.04.2017 on the file of the second respondent as illegal, incompetent and ultravires in so far as the course of Power Electronics and Drive is concerned and consequently direct the respondents to include the course of Power Electronics and Drive under Electronic and Communication Engineering.

2. According to the petitioner, she has obtained Engineering degree in Electronics and Communication and she had studied Master in Engineering in Power Electronics and Drives and she is also pursuing Ph.D. in Modelling and Stimulation in Renewable Energy System in Anna University of Technology. While so, the impugned notification No.CONCOL/ICC/04 – A/OF 2012 dated 10.02.2012 has been passed and as per the notification,



WP.No.22540 of 2017

WEB COPY

the petitioner had done Electronic and Communication in B.E. And Power Electronics and Drive in M.E. and she is eligible to be appointed as Associate Professor in Immayam Engineering College, Kananur, Thuraiyur, Trichy District. The notification is sought to be quashed mainly on the ground that if the notification apply retrospectively, it will effect the petitioner.

3. The learned counsel appearing of the petitioner submitted the if the notification is prospective in nature, she will not have any say and the same may be recorded and closed.

4. The impugned notification has been published on 22.01.2010 and same shall come into effect from the date of publication in Gazette. The entire notification does not indicate any retrospective effect. Unless retrospective effect is given in the notification, the same will come into effect from the date of publication in the Gazzette. In such view of the matter, as the notification has not been given retrospective effect, quashing of the impugned notification does not arise.



WP.No.22540 of 2017

WEB COPY

5. Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

08.11.2022

vrc

To,

1. The Chairman,
All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi – 110 067.
2. The Member Secretary,
All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
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WP.No.22540 of 2017

N.SATHISH KUMAR, J.

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WP.No.22540 of 2017

08.11.2022