



W.P(MD)No.15272 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15272 of 2019

and

W.M.P.(MD)Nos.11798 & 11799 of 2019

and

W.M.P.(MD)No.2473 of 2020

Immanuel Arasar International Institute of
Science and Technology Educational Chartibale Trust,
Rep. by its Founder Trustee
Mr.Sam G.Jebajoselin,
S.G.Hospital, Pammam,
Old Theatre Junction,
Marthandam, Kanyakumari District.
Established and Administering
Immanuel Arasar J.J.College of Engineering
Marthandam, Kanyakumari District.

... Petitioner

Vs.

- 1.The Member Secretary,
All India Council for Technical Education (AICTE)
Nelson Mandela Marg
Vasanth Kunj, New Delhi-110 067.
- 2.The Regional Officer,
Southern Regional Office
AICTE, Shastri Bhavan, 26 Haddows Road,
Nungambakkam, Chennai-600 006.
- 3.The Pharmacy Council of India,
Represented by the Secretary cum Registrar
Combined Council Building



W.P(MD)No.15272 of 2019

Temple Lane, Kotla Road,
Aiwan-E-GHALIE Marg,
Post Box No.7020 New Delhi-110 002.

- 4.The Registrar,
Tamil Nadu Dr.MGR Medical University,
69, Anna Salai, Guindy,
Chennai-600 032.
- 5.The Director of Medical Education,
Directorate of Medical Education Campus,
Kilpauk, Chennai-600 010.
- 6.The Secretary,
Selection Committee
Directorate of Medical Education Campus,
Kilpauk, Chennai-600 010.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order in Lr.No.AICTE/AB/SR/1 -12822363 / 2019-20 dated 14.06.2019 passed by the 1st respondent AICTE and the consequential impugned order in F.No.SRO /1-4261031796 / 2019-20 / 439, dated 21.06.2019 passed by the 2nd respondent, quash the same and direct the 1st respondent AICTE to grant approval to the petitioner College for B.Pharm. Degree course from the academic year 2019-20 onwards in accordance with law.

For Petitioner : Mr.D.Prabhu Mukunth Arunkumar

For R-1 & R-2 : Mr.N.Dilipkumar

For R-4 : Mr.S.Ramesh

For R-5 & R-6 : Mr.S.Shaji Bino,
Special Government Pleader.



W.P(MD)No.15272 of 2019

ORDER

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Heard the learned counsel on either side.

2. The petitioner questions the impugned decision taken by AICTE for not granting approval to the petitioner for starting B.Pharm. degree course.

3. When the matter was taken up for hearing, the learned Standing Counsel brought to my notice to the decision of the Hon'ble Apex Court reported in *(2021) 10 SCC 657 (Pharmacy Council of India Vs. Dr.S.K.Toshniwal Educational Trusts Vidarbha Institute of Pharmacy & Ors.)*.

4. AICTE has no longer any domain over the field of Pharmacy education. The determination is now left to the Pharmacy Council of India. The petitioner has to necessarily approach the Pharmacy Council of India. Therefore, nothing survives for further adjudication.

5. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

08.12.2022

Index : Yes / No
Internet : Yes/ No



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W.P(MD)No.15272 of 2019

To

- 1.The Director of Medical Education,
Directorate of Medical Education Campus,
Kilpauk, Chennai-600 010.
- 2.The Secretary,
Selection Committee
Directorate of Medical Education Campus,
Kilpauk, Chennai-600 010.



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W.P(MD)No.15272 of 2019

G.R.SWAMINATHAN, J.

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W.P(MD)No.15272 of 2019

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