



W.P.Nos.11593 & 11765 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.11593 & 11765 of 2023

and

W.M.P.Nos.11495 & 11644 of 2023

Tamilaga Private Industrial Training Institute,
Rep. by its Correspondent,
Bangalore Road,
Abdullaburam,
Vellore District.

... Petitioner in
W.P.No.11593 of 2023

Kennedy Private Industrial Training Institute,
Rep. by its Correspondent,
Odaipillaiyar Kovil (Stop),
Katpadi Main Road,
Vellore – 6,
Vellore District.

... Petitioner in
W.P.No.11765 of 2023

Vs.

1.The Director of Employment & Training,
Guindy,
Chennai – 32.

2.The Regional Joint Director of Employment & Training,
Chennai Region,
Chennai – 32.

... Respondents in both WPs



W.P.Nos.11593 & 11765 of 2023

Prayer in W.P.No.11593 of 2023 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to approve the admission of twenty (20) students made by the petitioner for the academic year 2022-24 and consequently, permit those students to take part in the All India Trade Examinations (NCVT).

Prayer in W.P.No.11765 of 2023 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to approve the admission of twenty six (26) students made by the petitioner for the academic year 2022-24 and consequently, permit those students to take part in the All India Trade Examinations (NCVT).

For Petitioner : Mr.S.Kamadevan
(in both WPs)

For Respondents : Mr.V.Mahonaran
(in both WPs) Additional Government Pleader

COMMON ORDER

Since the issue raised in both the writ petitions is one and the same, with the consent of the learned counsel appearing for both sides, these Writ Petitions were heard together and disposed of by this common order.



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2. The case of the petitioner is that, they are Industrial Training Institutes and they got permanent affiliation from the Director General of Employment and Training (DGET), New Delhi, to conduct vocational courses, i.e., Electrician, Motor Mechanic Vehicle (MMV), Motor Refrigeration and Air Conditioning, Fitter and Wireman. The minimum eligibility for the admission to the said courses are 10th standard or 8th standard pass. Most of the students are school dropouts and hailing from economically weaker sections of society. The petitioner's Institutes, all along, were managed by the husband of the petitioner namely Mr.Krishnamurthy and he passed away on 01.09.2021. After his demise, the petitioner is looking after the said institutes. However, there was a property dispute between the petitioner and her son and he has made objection in respect of the petitioner running the Institutes. Thereafter, the second respondent through his memorandum dated 01.09.2022 directed the petitioner to produce legal heir certificate and other documents for change of management and the same was challenged before this Court in W.P.No.26565 of 2022. During the pendency of the said writ petition, the respondents refused to approve the admission of the students, thereby, the present writ petitions are filed.



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3. Though very many grounds have been raised in these writ petitions, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the respondents to approve the admission of the students made by the petitioner for the academic year 2022-24, within a time frame that may be stipulated by this Court.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection for approval of admission of the students as sought for in these writ petitions.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to approve the admission of the students for the academic year 2022-24, without prejudice to the rights of the petitioner as well as the respondents in view of the contentions made in the writ petition in W.P.No.26565 of 2022, within a period of two weeks from the date of receipt of a copy of this order.



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6. Accordingly, these writ petitions are disposed of. No Costs.

Consequently, the connected miscellaneous petitions are closed.

07.06.2023

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

sp

Note: Issue order copy on 15.06.2023.

To

1.The Director of Employment & Training,
Guindy,
Chennai – 32.

2.The Regional Joint Director of Employment & Training,
Chennai Region,
Chennai – 32.



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M.DHANDAPANI, J.

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