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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.12.2023

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.34159 of 2023

Sri Chakra Maritime College
represented by its Director
Mr.K.V.R.Srinivas

... Petitioner

Vs

1. The Secretary,
Ministry of Ports, Shipping and Waterways,
Transport Bhavan, New Delhi – 110 001.
2. The Director General of Shipping,
Ninth Floor, Beta Building,
i-Think Techco Campus,
Kanjurmarg (East), Mumbai – 400 042.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second respondent to dispose of the representation for additional intake of GP Rating Course seats made in Application No.100490 dated 12th May 2022 within time bound



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manner preferably before the end of December 2023, since the course has to commenced in the month of January, 2024.

For Petitioners : Mr.S.Bala Subramaniam

For Respondents : Mr.C.Kulandaivel
Government Advocate

ORDER

Mr.C.Kulandaivel, learned Government Advocate accepts notice for the respondents and is armed with requisite instructions to enable final disposal of this matter, even at the stage of admission.

2. The petitioner is a college engaged in maritime education. The prayer is for a mandamus simplicitor directing the second respondent, who is Director General of Shipping, Mumbai, to dispose its representation for additional intake of General Purpose (GP) Rating Course.

3. The petitioner is seen to have been making representations to the above effect for more than a year now. Its first application bearing No.100490 dated 12.05.2022 came to be rejected on 15.03.2023. A subsequent representation was filed on 14.04.2023 and on account of the inaction on the part of the respondents, the petitioner has filed a Writ Petition in W.P.No.17657 of 2023, which came to be disposed on 15.06.2023 directing disposal of the representation. That representation came to be rejected on 22.11.2023.



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4. It is an admitted position that the rejection is based on the poor performance of the petitioner qua placement of the students.

5. Learned counsel for the respondents would point out that there is no purpose in the petitioner repeatedly making representations as they would meet the same fate as the earlier representations have.

6. However, learned counsel for the petitioner points out that in the interim, the petitioner has, in fact, improved its placement credentials and has filed one more representation on 02.11.2023, wherein it states that it has completed the Comprehensive Inspection Programme (CIP) from a recognized organization and has been graded as 'A2'. Thus, according to learned counsel, the petitioner is entitled for the additional intake and its request must be considered afresh in light of the changed circumstances now.

7. Learned counsel for the respondents has no objection to mandamus being issued for consideration of the representation simplicitor.

8. Hence, for this purpose, the petitioner is permitted to appear before R2 on 13.12.2023 at 2.30 p.m. without anticipating any further notice in this regard along with materials, if any, in support of its request. The availability and convenience of R2 in regard to the proposed hearing has been ascertained from the learned respondent counsel.



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9. R2 shall hear the petitioner on the same day, on its representation dated 02.11.2023, consider documentation, if any, filed by it and pass orders on merits and in accordance with law on or before 31.12.2023, since the petitioner states that the course for which additional intake is sought, is for a period of six months which is to commence from the first week of January, 2024.

10. This Writ Petition is disposed in the aforesaid terms. No costs.

11.12.2023

Index : Yes / No

Speaking order

Neutral citations:Yes

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Note: Registry is directed to issue a copy of this order today (11.12.2023)

To

1. The Secretary,
Ministry of Ports, Shipping and Waterways,
Transport Bhavan, New Delhi – 110 001.
2. The Director General of Shipping,
Ninth Floor, Beta Building,
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