



W.P.No.5534 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.5534 of 2024

and

W.M.P.No.6121 of 2024

Sree Gokulam Educational Trust,  
Rep. By Its Chairman, S.Murugan,  
No.1, Devanampattinam Main Road,  
Devanampattinam Cuddalore 607 001 ,  
Established And Administering  
Mayor Radhakrishnan College Of Pharmacy,  
S.F. No. 1469 Devanampattinam Village,  
Cuddalore District 607 001.

... Petitioner

**Vs.**

1. The Registrar,  
Tamil Nadu Dr.MGR Medical University,  
69, Anna Salai, Guindy,  
Chennai-32.

2. The Pharmacy Council Of India,  
Rep. By The Secretary Cum Registrar,  
NBCC Centre, 3rd Floor Plot No.2,  
Community Centre, Maa Anandamai Marg,  
Okhla Phase I, New Delhi-110020.



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3. The Government Of Tamil Nadu,  
Rep. By Its Secretary,  
Health And Family Welfare Department,  
Fort St. George, Chennai 9.

...Respondents

**Prayer:-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned orders passed by the 1st respondent vide Rc.No. Affln. I(4) / 17874/ 2020 dated 29.11.2023 quash the same and direct the 1st respondent to grant consent of affiliation to the petitioner college to start additional courses namely Pharm.D for the academic year 2024 -25 without insisting Essentiality Certificate from the Government.

For Petitioner : Mr.D.Prabhu Mukunth Arun Kumar

For Respondents : Mr.A.Mohammed Gouse,(for R1);

: Mr.K.Tippu Sunthan,  
Government Advocate (for R3);

: Mr.M.T.Arunan,  
Standing Counsel (for R2).

### **ORDER**

The writ of certiorarified mandamus has been filed challenging the impugned orders passed by the 1st respondent vide Rc.No. Affln. I(4) /



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17874/ 2020 dated 29.11.2023 quash the same and to direct the Registrar,

Tamil Nadu MGR Medical University/1<sup>st</sup> respondent to process the petitioner's application dated 30.08.2023, for commencing Pharm.D and M.Pharm Courses without insisting for the production of the NOC or Essentiality Certificate.

2. Mr.A.Mohamed Gouse, learned Counsel appearing on behalf of the 1<sup>st</sup> respondent would submit that the application has already been returned for want of Essentiality Certificate under communication dated 29.11.2023 and thus there is no application pending as of now.

3. In such circumstances, liberty is granted to the petitioner to re-present the application reiterating the requests made under application dated 30.08.2023 . Such application, if and when made shall be considered by the respondents, in line with the ratio of the order of the Division Bench of this Court in the case of *Annai J.K.K.Sampoorani Ammal Charitable Trust, rep. By its Management Trustee v The Registrar, Tamil Nadu Dr.M.G.R.Medical University, Chennai* [W.A.No.3534 of 2019 dated 16.06.2020] and several other orders following the ratio of the order in re. *Annai J.K.K.Sampoorani Ammal Charitable Trust*, within a period of two



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weeks from the date of receipt of the application after the hearing the petitioner.

4. Accordingly, this Writ Petition stands **disposed of**. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(sha)  
Index : Yes  
Speaking Order  
Neutral Citation : Yes

29.04.2024



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- To
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**S.M.SUBRAMANIAM. J.,**

(sha)

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