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W.P.Nos.4369, 4372 & 4373 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.4369, 4372 & 4373 of 2024

W.P.No.4369 of 2024

GRD College of Pharmacy
Rep. By its Secretary,
G.Rajesh,
Thiruvallur – Tiruthani NH Road,
Pudur Village, Thiruvallur Taluk and District,
Thiruvallur – 631 201

.. Petitioner

VS

1.The Registrar,
The Tamil Nadu Dr.MGR Medical University,
69, Anna Salai, Guindy,
Chennai – 600 032.

2.The Pharmacy Council of India,
Rep. By its Secretary cum Registrar,
NBCC Center, 3rd Floor, Plot No.2,
Community Center, Maa Anandmai Marg,
Okhla Phase I, New Delhi – 110 020.

3.The Government of Tamil Nadu
Rep. By its Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 009.

4.The Director,
Directorate of Medical Education,
Kilpauk, Chennai – 600 010.

.. Respondents

Prayer in W.P.No.4369 of 2024: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent to process the application of the



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petitioner dated 27.01.2024 for starting the M.Pharm., (Pharmaceutics) and M.Pharm., (Pharmaceutical Analysis) courses with 15 seats each without insisting for the production of the NOC or Essentiality Certificate of the third respondent and pass orders within such time as may be fixed by this Court for starting the Courses from the Academic Year 2024 – 25 and thus render justice.

W.P.No.4372 of 2024

Sree Bhavani College of Pharmacy,
Rep. by its Chairman,
J.Narayanan,
NH 532, Veppur- Virudhachalam Main Road,
Kothanur, Kandappankurichi,
Veppur Taluk, Cuddalore – 606 302.

.. Petitioner

VS

- 1.The Registrar,
The Tamil Nadu Dr.MGR Medical University,
69, Anna Salai, Guindy,
Chennai – 600 032.
- 2.The Pharmacy Council of India,
Rep. By its Secretary cum Registrar,
NBCC Center, 3rd Floor, Plot No.2,
Community Center, Maa Anandmai Marg,
Okhla Phase I, New Delhi – 110 020.
- 3.The Government of Tamil Nadu
Rep. By its Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 009.
- 4.The Director,
Directorate of Medical Education,
Kilpauk, Chennai – 600 010.

.. Respondents

Prayer in W.P.No.4372 of 2024: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent to process the application of the petitioner dated 14.11.2023 for starting the M.Pharm., (Pharmaceutics) and M.Pharm., (Pharmaceutical Analysis) courses



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with 15 seats each without insisting for the production of the NOC or Essentiality Certificate of the third respondent and pass orders within such time as may be fixed by this Court for starting the Courses from the Academic Year 2024 – 25 and thus render justice.

W.P.No.4373 of 2024

Smt.Gandhimathi College of Pharmacy,
Represented by its Chairman,
G.Radhakrishnan,
SF No.68/2D, Villupuram Road,
Nallan Pillai Petral Village,
Pallikondapattu Post, Thiruvannamalai Taluk and District
Thiruvannamalai – 606 611 .. Petitioner

vs

- 1.The Registrar,
The Tamil Nadu Dr.MGR Medical University,
69, Anna Salai, Guindy,
Chennai – 600 032.
- 2.The Pharmacy Council of India,
Rep. By its Secretary cum Registrar,
NBCC Center, 3rd Floor, Plot No.2,
Community Center, Maa Anandmai Marg,
Okhla Phase I, New Delhi – 110 020.
- 3.The Government of Tamil Nadu
Rep. By its Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 009.
- 4.The Director,
Directorate of Medical Education,
Kilpauk, Chennai – 600 010. .. Respondents

Prayer in W.P.No.4373 of 2024: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent to process the application of the petitioner dated 14.12.2023 for starting the M.Pharm., (Pharmaceutics) and M.Pharm., (Pharmaceutical Analysis) courses with 15 seats each without insisting for the production of the NOC or Essentiality Certificate of the third respondent and pass orders



W.P.Nos.4369, 4372 & 4373 of 2024

within such time as may be fixed by this Court for starting the Courses from the Academic Year 2024 – 25 and thus render justice.

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For Petitioners : Mr.J.Narayanasamy
for Mr.R.Kannan
(in all writ petitions)

For Respondents : Mr.A.Mohammed Gouse
for R1
Mr.K.Tippu Sultan
Government Advocate
for R3, R4
(in all writ petitions)

COMMON ORDER

The prayer of the petitioner in all writ petitions is for a mandamus directing the Registrar, Tamil Nadu Dr.MGR Medical University / R1 to process the petitioner's applications dated 27.01.2024, 14.11.2023 & 14.11.2023 for commencing M.Pharm (Pharmaceutics) and M.Pharm (Pharmaceutical Analysis) courses without insisting upon production of No Objection Certificate or Essentiality Certificate.

2. Mr.A.Mohammed Gouse, who appears for R1 would point out that the applications have already been returned for want of Essentiality Certificate under communication dated 02.02.2024, 24.11.2023 & 27.12.2023, respectively and thus there are no applications pending as of now.

3. In such circumstances, liberty is granted to the petitioner to re-present the applications reiterating the requests



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made under applications dated 27.01.2024, 14.11.2023 & 14.11.2023. Such applications, 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 weeks from the date of receipt of the applications after hearing the petitioner.

4. All Writ Petitions stand disposed in terms of this common order. No costs.

22.03.2024

Index:Yes/No
Neutral Citation:Yes
ssm

Note to Registry : Issue on 25.03.2024.

To

- 1.The Registrar,
The Tamil Nadu Dr.MGR Medical University,
69, Anna Salai, Guindy,Chennai – 600 032.
- 2.The Secretary cum Registrar,
The Pharmacy Council of India,
NBCC Center, 3rd Floor, Plot No.2,Community Center, Maa
Anandmai Marg, Okhla Phase I, New Delhi – 110 020.



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DR. ANITA SUMANTH,J.

ssm

3.The Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 009.

4.The Director,
Directorate of Medical Education,
Kilpauk, Chennai – 600 010.

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