



W.P.No.8347 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.8347 of 2024

and

W.M.P.Nos.9294 & 9296 of 2024

PGP Educational And Welfare Society,
Established And Administering,
PGP College Of Pharamaceutical Science And Research Institute,
Karur Main Road, Namakkal-637 207,
Rep. By Its Secretary K.Kandasamy. ... 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.

3.The Director Of Medical Education
Directorate Of medical Education Campus,
Kilpauk, Chennai-600 010. ... Respondents



W.P.No.8347 of 2024

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 letters of the 1st respondent in Lr. No. Affln.1(4) / 18081/ 2020 dated 24.11.2023 and 27.02.2024 quash the same and direct the 1st respondent to grant consent of affiliation to the petitioner college to start M.Pharm (Pharmaceutical Analysis) and M.Pharm (Pharmaceutical Quality Assurance) with an intake of 15 seats in each Degree Course 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,
Standing Counsel (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 letters of the 1st respondent in Lr. No. Affln.1(4) / 18081/



W.P.No.8347 of 2024

2020 dated 24.11.2023 and 27.02.2024 quash the same and direct the Registrar, Tamil Nadu MGR Medical University/1st respondent to process the petitioner's application dated 20.11.2023, 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 1st respondent would submit that the application has already been returned for want of Essentiality Certificate under communication dated 24.11.2023 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 20.11.2023. 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



W.P.No.8347 of 2024

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 petitions are closed.

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

29.04.2024



W.P.No.8347 of 2024

WEB COPY

- To
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.
 - 3.The Director Of Medical Education
Directorate Of medical Education Campus,
Kilpauk, Chennai-600 010.



WEB COPY



W.P.No.8347 of 2024

S.M.SUBRAMANIAM. J.,

(sha)

W.P.No.8347 of 2024

29.04.2024