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W.A.No.2113 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.No.2113 of 2024

Sri Nandhanam College of Engineering and Technology,
Nandhanam Nagar, Molagarampatti,
Tiruppattur-635 602,
Vellore District,
rep. by it Chairman P.M.N.Moha Krishnaa

.. Appellant

Vs

- 1.The Government of India,
rep. by its Secretary,
Ministry of Ports, Shipping and Waterways,
Parivahan Bhavan,
No.1, Parliament Street,
New Delhi-110 001.
- 2.The Director General of Shipping,
O/o Directorate General of Shipping,
9th Floor, Beta Building,
I-Think Techno Campus,
Kanjur Marg (East),
Mumbai-400 042.



W.A.No.2113 of 2024

3. The Deputy Director General of Shipping (Training),
O/o Directorate General of Shipping,
9th Floor, Beta Building,
I-Think Techno Campus,
Kanjur Marg (East),
Mumbai-400 042.

.. Respondents

Prayer : Appeal under Clause 15 of the Letters Patent against the order dated 21.6.2024 passed by the learned Single Judge in W.P.No.16109 of 2024.

For the Appellant : Mr.G.Sankaran
Senior Counsel
for Mr.S.Nedunchezhiyan

For the Respondents : Mr.AR.L.Sundaresan
Addl. Solicitor-General
assisted by
Mr.C.Kulanthaivel
Senior Panel Counsel

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

Calling in question the correctness of the order dated 21.6.2024 passed by the learned Single Judge in W.P.No.16109 of 2024, the writ petitioner has filed the present appeal.

2. The appellant herein filed the writ petition seeking issuance



W.A.No.2113 of 2024

of a writ of mandamus commanding the respondents to issue permanent approval for General Purpose Rating Course with revised intake as 12 batches per year in conclusion of appellant institution's Application No.100592, dated 11.06.2023.

3. The learned Single Judge, vide order dated 21.6.2024, which is impugned in this appeal, observed as under:

"5. The Court believes that there is nothing untoward in this approach. Since both parties are agreed on the position that the processing of the application is currently on-going, there is no need for intervention, except to fix the upper time limit within which such process will be completed. For this purpose, the parties agree that eight (8) weeks would suffice.

6. Hence, application of the petitioner bearing No.100592 dated 11.06.2023 will be processed in accordance with law and all applicable Rules and Regulations and a final view taken by the authority, either to accept or reject the same, the latter by way of a speaking order, within a period of eight (8) weeks from date of receipt of a copy of this order.



WEB COPY



W.A.No.2113 of 2024

Needless to state, the principles of natural justice will be adhered to scrupulously as well."

4. Learned Senior Counsel appearing on behalf of the appellant submits that the appellant/institution had complied with the deficiencies pointed out at Sr.Nos.1, 7, 41 and 47, but the respondent authorities have till date not taken any final decision. Learned Senior Counsel appearing on behalf of the appellant undertakes that no further documents shall be filed by the appellant. The said submission is recorded.

5. Per contra, learned Additional Solicitor General appearing on behalf of the respondents submitted that the appellant had presented the additional documents only on 29.7.2024, that too before the Nautical Surveyor-cum-Senior DDG (Technical), Mercantile Marine Department, Chennai, whereas the competent authority to consider the same is the second respondent. He further submitted that the second respondent shall verify the aforesaid documents and thereafter pass appropriate orders in



W.A.No.2113 of 2024

WEB COPY

accordance with law within four weeks.

6. In the light of the rival submissions and considering the larger interest of the students, we direct the second respondent to consider the application of the appellant in the light of the additional documents furnished by them and process the same in accordance with law and all applicable Rules and Regulations and pass appropriate orders within two weeks, i.e., on or before 14.8.2024.

The writ appeal is disposed of accordingly. There shall be no order as to costs. Consequently, C.M.P.No.14877 of 2024 is closed.

(D.K.K., ACJ.) (K.B., J.)
31.07.2024

Index : No
NC : No
sasi



W.A.No.2113 of 2024

To

WEB COPY

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WEB COPY



W.A.No.2113 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
K.KUMARESH BABU,J.

(sasi)

W.A.No.2113 of 2024

31.07.2024