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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2024

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.22952 of 2021
and WMP. Nos.24167, 24169, 24170 & 24171 of 2021

Southern Academy of Maritime Studies
Under Sri Vekkaiamm Educational & Charitable Trust,
Rep. By its Authorised Signatory,
A.R.Krishnamurthy
No.108, East Madha Church Street,
Royapuram, Chennai-13. ... Petitioner

Vs.

1. The Director General of Shipping,
9th Floor, Beta Building,
Ithink Techno Campus,
kanjur Marg East, Mumbai-42.

2. The Principal Officer,
Mercantile Marine Department,
Anchor Gate Building, Second Floor,
PB No.5004, Rajaji Salai, chennai-1.

3. The Deputy Nautical Adviser,
Mercantile Marine Department,
Anchor Gate Building, Second Floor,
PB No.5004, Rajaji Salai, chennai-1.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari calling for the records of the order of temporary suspension of approvals issued against the petitioner institution dated 18.10.2021 by the first respondent in File reference No.20-11011/32/2021-TRG-DGS and quash the same.

For Petitioner : Mr.P.V.Balasubramanian

For M/s.Ganesh and Ganesh

For Respondents : Mr.Rajesh Vivekananthan Asst.S.G.

ORDER

These Writ Petition has been filed seeking to quash the impugned order of temporary suspension of approvals issued against the petitioner institution dated 18.10.2021 by the first respondent in File reference No.20-11011/32/2021-TRG-DGS

2. It is the case of the petitioner that the petitioner is an institution running under Sri Vekkaliyamman Educational and Charitable Trust for past 23 years and are an approved institution under the Director General of Shipping to conduct Maritime courses and now because of the prevailing pandemic and the guidelines issued by the Government, the institution is remaining closed with only limited activity conducted as per the guidelines of the first respondent. In such circumstances, the third respondent sent mail to the petitioner stating that he wants to conduct an inspection to the



petitioner institution and accordingly, the same was conducted and asked clarifications and documents. To rectify the said defects, the petitioner seeks time. Without giving any opportunity to the petitioner, the first respondent passed a suspension order dated 18.10.2021 from admitting any candidate to any new batches in any of the approved courses during the academic year. Challenging the same, the present petition has been filed.

3. The learned counsel for the petitioner submitted that on the earlier occasion, this Court granted interim stay on 22.10.2021. In the meanwhile, the petitioner had rectified all the defects which were pointed out by the respondents. Hence, this court, without going into the merits of the case, may issue a direction to the first respondent to conduct a fresh inspection in the petitioner's institution and grant affiliation for admission.

4. The learned Counsel appearing for the respondents submitted that the 3rd respondent will inspect the petitioner institution as soon as possible and if it is satisfied, they will consider and pass fresh order.

5. Heard the learned counsel for the petitioner, the counsel appearing for the respondents 1 to 3 and perused the materials available on record.



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6. In view of the limited request sought for by the petitioner, this Court without going into the merits of the case, directs the 3rd respondent to inspect the petitioner institution as expeditiously as possible. If they satisfies, the first respondent shall reconsider in respect of the suspension order which was issued by this first respondent. Till such time, the interim order passed by this Court is extended.

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

14.08.2024

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To

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M.DHANDAPANI,J.

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