



WEB COPY



W.A.No.2415 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.No.2415 of 2022

and

C.M.P.Nos.18644 & 18648 of 2022

Sri Nandhanam Educational and Social Welfare Trust,
(Nandhanam Health Sciences College)
Rep. by its Chairman Mr.PMN Mohan Krishnaa,
Nandhanam Nagar, Molagarampatti,
Tirupattur Taluk, Vellore District,
Tamil Nadu-635 602

... Appellant/Petitioner

-VS-

1. The Tamil Nadu Dr.MGR Medical University,
Rep. by its Registrar,
No.69, Anna Salai,
Guindy, Chennai-600 032.
2. The Directorate of Medical Education,
Board of Pharmacy,
162, Periyar EVR High Road,
Kilpauk, Chennai-600 010.
3. The Pharmacy Council of India,
Rep. by the Secretary-cum-Registrar,
NBCC Centre, 3rd Floor, Plot No.2, Community Centre,
Maa Anandamal Marg, Okhla Phase-I,
New Delhi – 110 020.

...



W.A.No.24 of 2020

Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the impugned order passed by the learned Judge of this Court dated 11.10.2021 in W.P.No.8757 of 2020 and consequently, allow the original relief sought for in W.P.No.8757 of 2020.

For Appellant : Mr.Nithyesh Nataraj
Mr.Anirudh A.Sriram
For R1 : Mr.G.Arumugam
For R2 : Mrs.M.Sneha
Special Counsel
For R3 : Mr.M.T.Arunan, Standing Counsel

J U D G M E N T

(By D.Krishnakumar,J.,)

When the matter is taken up for hearing, learned counsel for the Appellant fairly stated that approval had already been granted as early as on 25.01.2023, pursuant to the No Objection issued by the State Government and therefore, the relief sought for by the Appellant has become infructuous and the Appeal may be closed as infructuous.

2. Learned counsel for the appellant submitted that Clause B(f)(iv) of the Scheme framed under Regulations 9(1) of the Pharmacy Regulations, 2014 of the 3rd respondent was challenged before the Writ Court and one of the grounds raised therein was as to whether No Objection Certificate is mandatory for establishing the D.Pharm courses or not. Since learned Single Judge has not discussed and decided the said ground raised by the appellant, the same may be kept open for deciding in an



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appropriate case.

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3. In view of the submission made by the learned counsel for the Appellant, we are of the view that nothing survives for further adjudication in this writ appeal. Hence, the Writ Appeal is dismissed as having been rendered infructuous. However, it is made clear that the issue raised by the appellant in respect of Clause B(f)(iv) of the Scheme framed under Regulations 9(1) of the Pharmacy Regulations, 2014 is kept open to be decided in an appropriate case. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.,]

[K.B., J]

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Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

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