



WEB COPY



W.P.No.32230 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.32230 of 2023

Adhiparasakthi College Of Pharmacy
Rep. By Its Principal,
Melmaruvathur - 603 319.

... Petitioner

Vs.

1. Tamil Nadu Dr.Mgr Medical University,
Represented By Its Registrar,
69, Anna Salai, Guindy,
Chennai - 600 032.

2. The Pharmacy Council Of India,
Represented By The Secretary Cum Registrar,
NBCC Centre, 3rd Floor, Plot No. 2,
Community Centre, Maa Anandamai Marg,
Okhla Phase-I, New Delhi - 110 020.

3. The Government Of Tamil Nadu,
Represented By Its Secretary,
Health And Family Welfare Department,
Fort Saint George, Chennai.

...Respondents



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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, pertaining to the impugned order passed by the Respondent in Lr.No. Affin.I(1)/39522/2020 dated 11.09.2023 and quash the same and consequently direct the 1 Respondent to grant consent of affiliation the petitioner Institution to Start M.Pharm(Pharmacology) degree course for the academic year 2024-2025 without insisting on the Essentiality Certificate from the Government

For Petitioner : Mr.M.Rajasekhar

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 order passed by the Respondent in Lr.No. Affin.I(1)/39522/2020 dated 11.09.2023 and quash the same and



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consequently direct the Registrar, Tamil Nadu MGR Medical University/1st

respondent to grant consent of affiliation the petitioner Institution to Start M.Pharm(Pharmacology) degree course for the academic year 2024-2025 without insisting on the Essentiality Certificate from the Government.

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 11.09.2023 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 requesting for starting M.Pharm (Pharmacology) Courses for the academic year 2024-2025. 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



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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.

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

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- 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.



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S.M.SUBRAMANIAM. J.,

(sha)

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