



W.P.No.2933 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM:

THE HONOURABLE Mr.JUSTICE VIVEK KUMAR SINGH

W.P.No.2933 of 2025
and W.M.P.Nos.3217 & 3219 of 2025

Saraswathi Educational Trust
Old No.3/44, New No.3/149-C,
Nehru Nagar,
Collectorate Post, Dharmapuri-636 705.
Established and Administering
L.N.College of Pharmacy
Old No.3/44, New No.3/149-C
Nehru Nagar,
Collectorate Post, Dharmapuri-636 705.
Rep.by its Managing Trustee and Correspondent
N.Megavannan ... Petitioner

Vs.

- 1.The Registrar
Tamil Nadu Dr.MGR Medical University,
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, MaaAnandamai Marg
Okhla Phase 1, New Delhi-110 020.
- 3.The Director of Medical Education



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Directorate of Medical Education Campus
Kilpauk, Chennai-600 010.

... Respondents

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Prayer: This Writ petition has been filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 1st respondent in Lr.No.Affln.l(5)/39421/20124 dated 19.12.2024 quash the same and direct the 1st respondent to grant consent of affiliation/certificate of registration to the petitioner college for increase intake of seats from 60 to 100 in B.Pharm Degree Course for the academic year 2025-26.

For Petitioner : Mr.D.Prabhu Mukunth Arunkumar

For R1 : Mr.Armohamed Kowse, Standing Counsel

For R2 : Mr.T.Arunan, Standing Counsel

For R3 : Mrs.M.Sneha

ORDER

This Writ Petition has been filed by the petitioner, challenging the impugned order dated 19.12.2024 passed by the first respondent, rejecting the petitioner trust application for the increase of intake seats from 60 to 100 in B.Pharm degree course.

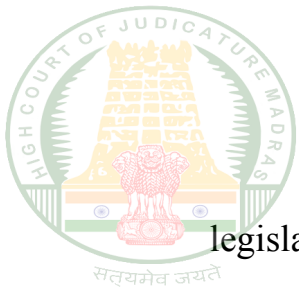


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2. The case of the petitioner is that the petitioner trust was granted permission to start B.Pharm degree course in the year 2024 with an annual intake of 60 students from the academic year 2024-25 onwards. While so, in view of the increased demand for the Pharmacy course, the petitioner trust decided to increase the seats of B.Pharm degree course from 60 to 100 and accordingly, the petitioner made an application seeking permission for increase of intake of seats from 60 to 100. However, the first respondent, by the impugned order dated 19.12.2024, rejected the petitioner's application solely on the ground that the petitioner college shall apply to the University for increase in seats in B.Pharm degree course until the first batch of students has successfully completed the course.

3. The learned counsel for the petitioner trust would contend that the first respondent is not the competent authority to deal with the matter pertaining to increase or decrease of seats and the second respondent, Pharmacy Council of India is the competent authority to deal with the subject mater. Therefore the impugned order passed by the first respondent, which is a creature of a statute enacted by the state



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legislation, cannot be sustained. The learned counsel would further submit that in fact the first respondent has granted permission to increase of intake of seats in B.Pharm course even the very next year onwards to many colleges, while in respect of the petitioner college is concerned, selectively the first respondent has rejected the application and therefore, the action of the first respondent amounts to colourful exercise of power and absolutely discriminatory, which is liable to be set aside.

4. Considering the submissions made by the learned counsel for the petitioner and on going through the entire materials placed before this Court, this Court is of the view that there should not be anomaly and disparity in regard to the increase of intake of seats in respect of colleges and therefore, the impugned order passed by the first respondent cannot be sustained. The first respondent/Tamil Nadu Dr.MGR Medical University, is directed to pass appropriate orders in the case of the petitioner forthwith within a period of four weeks from the date of receipt of a copy of this order on merits and in accordance with law.

5. Accordingly, this Writ Petition is disposed off. No costs. Consequently, connected miscellaneous petitions are closed.



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Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

To

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