



W.P.No.33445 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.33445 of 2025

and

W.M.P.No.37579 of 2025

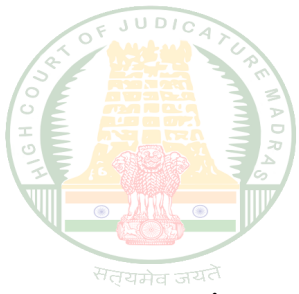
Erode Educational Trust
Rep.by its Secretary and Correspondent
Educational agency
The Erode College of Pharmacy
Perundurai Main Road,
Veppampalayam, Vallipurathanapalayam (PO),
Erode – 638 112.

... Petitioner

Vs.

1. The Registrar,
The Tamil Nadu Dr.M.G.R.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, Maa Anandamai Marg,
Okhla Phase I, New Delhi – 110 020.
3. The Director of Medical Education,
Directorate of Medical Education Campus,
Kilpauk, Chennai – 600 010.

... Respondents



W.P.No.33445 of 2025

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st respondent in Lr.No.Affln.1(5)/15119/2025 dated 13.06.2025 quash the same and direct the 1st respondent to grant consent of affiliation to the petitioner College to start additional courses namely M.Pharm (Pharmaceutical Regulatory Affairs) without insisting Essentiality Certificate from the Government.

For Petitioner : Mr.D.Prabhu Mukunth Arun Kumar

For Respondents : Mr.G.Arumugam
Standing Counsel for R1
Mr.K.Tippu Sulthan
Government Advocate for R3

ORDER

This Writ Petition is filed challenging the order dated 13.06.2025 passed by the first respondent in Lr.No.Affln.1(5)/15119/2025, wherein and whereby, the first respondent returned the application of the petitioner College sought for Letter of Consent of Affiliation for starting of new branch Pharmaceutical Regulatory Affairs in M.Pharm degree course for the academic year 2025-26.



W.P.No.33445 of 2025

2. Heard Mr.D.Prabhu Mukunth Arun Kumar, learned counsel for the petitioner and Mr.G.Arumugam, learned Standing Counsel for the first respondent and Mr.K.Tippu Sulthan, learned Government Advocate for the third respondent and perused the materials available on record.

3. The petitioner College is imparting pharmacy education for the past 33 years from the academic year 1992-93 onwards and it is conducting D.Pharm, B.Pharm, M.Pharm and Pharm.D courses. The second respondent is the authority occupying the field of pharmacy under the Pharmacy Act. While that being so, the petitioner College applied for grant of permission to start 4 years B.Pharm degree course from the academic year 1992-93. The Government of Tamil Nadu *vide* G.O.Ms.No.1059 (Health and Family Welfare Department) dated 25.09.1992 granted permission to start 4 years B.Pharm degree course from the academic year 1992-93 with an annual intake of 60 students. The petitioner College right now conducting six branches of M.Pharm courses. Now, the petitioner College in order to start additional branch in M.Pharm namely M.Pharm (Pharmaceutical Regulatory Affairs) had applied *vide* application dated 23.05.2025 from the academic year 2025-26. However, it was returned for the reason that the said application did



W.P.No.33445 of 2025

not accompany by the G.O.(Essentiality Certificate) to be issued by the

Government of Tamil Nadu. This issue was already dealt with by the

Hon'ble Division Bench of this Court in W.A.No.3534 of 2019 dated

16.06.2020 stating that the State Government lacks power to insist upon

obtaining of Essentiality Certificate for the purpose of production before

the University for processing Consent of Affiliation. However, Letter

No.38630/PME2/2016-4 dated 31.08.2018 issued by the Department of

Health and Family Welfare, Government of Tamil Nadu is not applicable

to the case on hand for the reason that the said instructions came to be

issued in the light of stand alone courses conducted by the University,

which did not have any affiliation with any of the Statutory Councils.

Therefore, it is not an obligatory on the part of the petitioner College to

obtain the Essentiality Certificate from the State Government and

produce before the University for processing the Consent of Affiliation.

It is repeatedly followed by this Court in several cases.

4. In view of the above, the impugned letter dated 13.06.2025

issued by the first respondent, is liable to be set aside and accordingly set

aside. The first respondent is hereby directed to grant Consent of

Affiliation to the petitioner College to start additional branch



W.P.No.33445 of 2025

Pharmaceutical Regulatory Affairs in M.Pharm decree course for the academic year 2025-2026 without insisting Essentiality Certificate from the Government of Tamil Nadu, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

03.09.2025

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms



WEB COPY



W.P.No.33445 of 2025

To

1. The Registrar,
The Tamil Nadu Dr.M.G.R.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, Maa Anandamai Marg,
Okhla Phase I, New Delhi – 110 020.
3. The Director of Medical Education,
Directorate of Medical Education Campus,
Kilpauk, Chennai – 600 010.



WEB COPY



W.P.No.33445 of 2025

G.K.ILANTHIRAIYAN, J.

ms

W.P.No.33445 of 2025

03.09.2025