



W.P.(MD)No.29817 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.29817 of 2024

and

W.M.P.(MD)Nos.25132, 25134 & 25135 of 2024

Thiru K.Subramaniya Nadar-Vadivoo
Educated Trust,
Represented by its Managing Trustee,
S.T.Murugesan,
S/o. Thangapazham,
Having office at
No.99, Main Road,
Vasudevanallur, Sivagiri Taluk,
Tenkasi District – 627758.

... Petitioner

Vs.

1. The Registrar (FAC),
Tamil Nadu Dr.MGR Medical University,
No.69, Anna Salai,
Guindy, Chennai – 32.

2. The Registrar,
Pharmacy Council of India, Anandmayee Marg,
Pocket A Okhla Phase I, Okhla Industrial Estate,
New Delhi- 110 044.

*(R2 is impleaded vide Court order dated 02.01.2025
in WMP(MD)No.26395/2024 in WP(MD)No.29817 of 2024)*

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for records of the impugned order in Lr.No.Affln.I(1)/26814/2024 dated 06.12.2024 on the file of the respondent and quash the same as illegal in so far as proposing to grant provisional affiliation order without admission of students is concerned and further to direct the respondents to grant provisional affiliation order to the petitioner Trust along with permission for admission of students for Bachelor of Pharmacy (B.Pharm) Course for the academic year 2024-2025.

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.K.Jeyamohan

For R-1 : Mr.A.S.Vaigunth
Standing Counsel

For R-2 : Mr.Karthikeya Venkatachalapathy

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent on 06.12.2024 by requiring the petitioner's college to submit the closure order of the petitioner's College issued by AICTE and Form-16 for all faculties.

2. The learned Senior Counsel appearing for the petitioner would submit that the petitioner has already submitted the documents as required by the first respondent as early as on 02.01.2024.



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3. The learned Counsel for the first respondent on instruction would submit that they are ready to consider the petitioner's application for grant of provisional affiliation.

4. At this point of time, the learned Senior Counsel for the petitioner pointed out that they should issue a provisional affiliation with admission for the current academic year.

5. The learned Counsel for the second respondent would submit that the entire exercise includes three stages, wherein the petitioner's college already obtained an approval of the second respondent. The aspect of provisional affiliation has to be handled by the first respondent. As far as admission is concerned, the same could be conducted only through counselling by the Director of Medical Education and Research and the mop and stray round counselling is over as early as during the month of 21.11.2024.

6. The learned Senior Counsel appearing for the petitioner would submit that atleast the petitioner's college may be permitted to fill up the management quota.



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7. The learned Standing Counsel appearing for the first respondent would submit that after the particular cut off date for admission of students for the particular academic year, the portal of the University for the admission would be automatically closed and the said exercise cannot be re-done.

8. In view of the same, the provisional affiliation without admission for commencing B.Pharm course with an annual intake of 60 seats could be considered for this academic year and the point of grant of permission for admission is automatic for the next academic year in case of issuance of provisional affiliation by the University.

9. Even then learned Senior Counsel appearing for the petitioner insisted this Court that they may be permitted to give a representation to the first respondent to permit the petitioner's college to fill up the management quota.

10. Considering the said submission, the first respondent University on receipt of the required forms from the petitioner's college, issue provisional affiliation to the petitioner's college if the same is otherwise qualified, within a period of one week. On receipt of the provisional affiliation from the first



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respondent, the petitioner is at liberty to give a representation afresh to the first respondent to permit the petitioner's college to fill up atleast the management quota for the current academic year.

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

06.01.2025

NCC : Yes / No
Index : Yes / No
jbr

Note: Issue order copy on 07.01.2025.

TO:-

1. The Registrar (FAC),
Tamil Nadu Dr.MGR Medical University,
No.69, Anna Salai,
Guindy, Chennai – 32.

2. The Registrar,
Pharmacy Council of India, Anandmayee Marg,
Pocket A Okhla Phase I, Okhla Industrial Estate,
New Delhi- 110 044.



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L.VICTORIA GOWRI, J.

jbr

Order made in
W.P.(MD)No.29817 of 2024

Dated
06.01.2025