

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
THURSDAY, THE TWELFTH DAY OF JUNE
TWO THOUSAND AND FOURTEEN

PRESENT:
THE HON'BLE SRI JUSTICE P.NAVEEN RAO
WPMP.NO:19902 of 2014
IN
WP.NO:16056 of 2014

Between:

M/s. Sailors Maritime Academy, Rep. by its Director, Sri K.V.S. Sridhar,
45-40-21, Flat No.201, V.L. Apartments, Above Indian Overseas Bank, Near Jaggarao
Bridge, Akkayapalem Main Road, Visakhapatnam-530 016

...Petitioner
(Petitioner in WP 16056 of 2014
on the file of High Court)

AND

1. The Union of India, Rep. by the Ministry of Shipping, New Delhi.
2. The Directorate General of Shipping, 9th Floor, BETA Building, I-Think Techno Campus, Kanjurmarg (East), Mumbai-400 042, Rep. by the Assistant Director General of Shipping (Training).
3. The Controller of Examinations, East Coast Road, Uthandi, Chennai - 600 119
4. The Indian Maritime University, East Coast Road, Uthandi, Chennai - 119.

...Respondent
(Respondents in-do-)

Counsel for the Petitioner : SRI NASHWANI KUMAR

Counsel for the Respondents : SRI P.VISHNUVARDHAN REDDY (ASST. SOL.
GEN.)

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased to direct the Respondent Nos. 2 & 4 to allow/ admit students as per the academic eligibility for the DNS & 9 Courses for the academic year commencing from August 2014 for DNS course and other short term courses with immediate effect to the Petitioner Academy/ Institution after suspending the operation of the impugned order/ proceedings F. No.TR/TAR/1 (9)/2012 dated 05.05.2014 passed/ issued by the 2nd Respondent, pending WP No. 16056 of 2014 on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

"The petitioner is a Maritime Academy imparting various maritime training courses and the petitioner has been running the institution for the last more than 10 years. By order dated 17-11-2011 there was temporary withdrawal of recognition. But by order dated 18-11-2011 those proceedings were withdrawn. The petitioner was permitted to run the institute. The order dated 18-11-2011 is now reviewed by the order impugned herein and the petitioner-institute is de-recognized insofar as

administering the course of Diploma in Nautical Science leading to B.Sc (Nautical Science).

Learned Senior counsel submits that no notice was issued before passing the said order. There is no provision for undertaking review of order by the same authority who passed it. Therefore, order is vitiated.

Having regard to the submissions, there shall be interim direction as prayed for.

Consequently, respondents 2 and 4 are directed to allot the students as per the academic eligibility for the DNS and (9) courses for the academic year commencing from August, 2014 for DNS Course and other short term courses to the petitioner Academy/institution."

Sd/- R.VENKATA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Ministry of Shipping, Union of India, New Delhi.
- 2 The Directorate General of Shipping, 9th Floor, BETA Building, I-Think Techno Campus, Kanjurmarg (East), Mumbai-400 042, Rep. by the Assistant Director General of Shipping (Training).
- 3 The Controller of Examinations, East Coast Road, Uthandi, Chennai - 600 119
- 4 The Indian Maritime University, East Coast Road, Uthandi, Chennai - 119.
(Addressees 1 to 4 BY RPAD)
5. Two CCs to Sri P.Vishnuvardhan Reddy, Asst. Solicitor General, High Court Buildings, Hyderabad (OUT)
6. one CC to Sri N.Ashwani Kumar, Advocate (OPUC)
7. One Spare Copy