

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.15617 of 2015

Arulmigu Kalasalingam College of
Education
represented by its Special Officer
Anand Nagar, Krishnankoil 626 126
Via Srivilliputtur
Virudhunagar District ... Petitioner

vs

1.Tamil Nadu Teachers Education
University
represented by its Registrar
Lady Willington College Campus
Kamarajar Salai
Chennai 600 005
2.National Council for Teacher Education
represented by its Regional Director
Southern Regional Committee
Nagarabhavi
Jnana Bharati Campus Road
Bangaluru 570 072 ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent-University to forthwith consider and pass orders on the application of the petitioner dated 11.5.2015, seeking grant of No Objection Certificate to enable the 2nd respondent to process the application of the petitioner dated 23.5.2015, for starting M.Ed. Course from the academic year 2016-2017.

For Petitioner : Mr.Kandhan Duraisami

For Respondents : Mr.U.Venkatesan for R1

Mr.K.Ramakrishna Reddy for R2

ORDER

By consent, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The petitioner claims that the institution was started in the year 2006, offering B.Ed. Course, with an annual intake of 100

students, after obtaining recognition from the National Council for Teacher Education (in short "NCTE") and also from Madurai Kamaraj University, which was the affiliating University at the relevant point of time. The petitioner would further state that as per the present norms, for increasing the intake of existing courses and for starting new courses, the Colleges imparting education in B.Ed. Course, have to fulfill certain norms. According to the petitioner, it was awarded Certificate of Accreditation on 3.3.2015, by the National Assessment and Accreditation Council and therefore, it is eligible to apply for starting M.Ed. Course from 2015-2016 and it is having all infrastructures to start the said course except the No Objection Certificate of the affiliating body and has also submitted an application on 11.5.2015, to the first respondent-University for grant of No Objection Certificate by enclosing all necessary documents. The petitioner has also submitted an application to the second respondent on 23.5.2015, enclosing a copy of the application made to the first respondent-University, for issuance of No Objection Certificate and since all the requirements have been complied with, there is no impediment on the part of the first respondent-University to grant No Objection Certificate.

3.It is further stated by the petitioner that the last date for submission of application to the second respondent for starting M.Ed. Course for the academic year 2015-2016, was 31.5.2015 and since all the required formalities have been complied with, appropriate orders may be passed in the writ petition.

4.Heard the submissions of Mr.Kandhan Duraisami, learned Counsel appearing for the petitioner, who would submit that the petitioner College has fulfilled all the requirements contemplated under the NCTE Regulations, 2014, and hence, appropriate directions may be issued to the first respondent to pass orders at the earliest.

5.The Court heard the submissions of Mr.U.Venkatesan, learned Standing Counsel, who accepted notice for the first respondent, and Mr.K.Ramakrishna Reddy, learned Counsel, who accepted notice for the second respondent, also.

6.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, directs the first respondent to consider and dispose of the petitioner's application dated 11.5.2015, in accordance with law, within a period of three months from the date of receipt of the application, and communicate the decision taken, to the petitioner immediately thereafter. The writ petition is disposed of accordingly.

nsv

03.06.2015

This petition having been posted on Friday, the Fifth day of June 2015(5.6.2015) for being mentioned in pursuance of the Order of this Court, dated 3.6.2015 and made in W.P.No.15617 of 2015 and in the presence of the aforesaid advocates the Court made the following Order:-

This Court has disposed of the writ petition on 3.6.2015, and before signing the order, Mr.Kandhan Duraisami, learned Counsel appearing for the petitioner, sought permission of the Court to list the matter under the caption "for being mentioned", stating among other things, that the NCTE has issued a Public Notice dated 30.5.2015, granting extension of time upto 30.6.2015, as last date for submission of on-line application by the stakeholders, and therefore, the application dated 11.5.2015, submitted by the petitioner, may be directed to be disposed of on or before 25.6.2015.

2.Accordingly, the matter appears today under the caption "for being mentioned".

3.The learned Counsel appearing for the petitioner, has drawn the attention of this Court to the order dated 13.5.2015, made in W.P.No.14378 of 2015, wherein, similar orders came to be passed.

4.The Court heard the submissions of Mr.U.Venkatesan, learned Counsel appearing for the first respondent, and Mr.K.Ramakrishna Reddy, learned Counsel appearing for the second respondent, also.

5.Para 6 of the order dated 3.6.2015, shall be read as follows:-

"6.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, directs the first respondent to consider and dispose of the petitioner's application dated 11.5.2015, in accordance with law, on or before 25.6.2015, and communicate the decision taken, to the petitioner immediately thereafter. The writ petition is disposed of accordingly."

05-06-2015

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

1.The Registrar,
Tamil Nadu Teachers Education
University
Lady Willington College Campus
Kamarajar Salai
Chennai 600 005

2.The Regional Director
National Council for Teacher Education
Southern Regional Committee
Nagarabhavi
Jnana Bharati Campus Road
Bangaluru 570 072

2 cc to M/s.Muthumani,Advocate, SR.No.26948, 26371

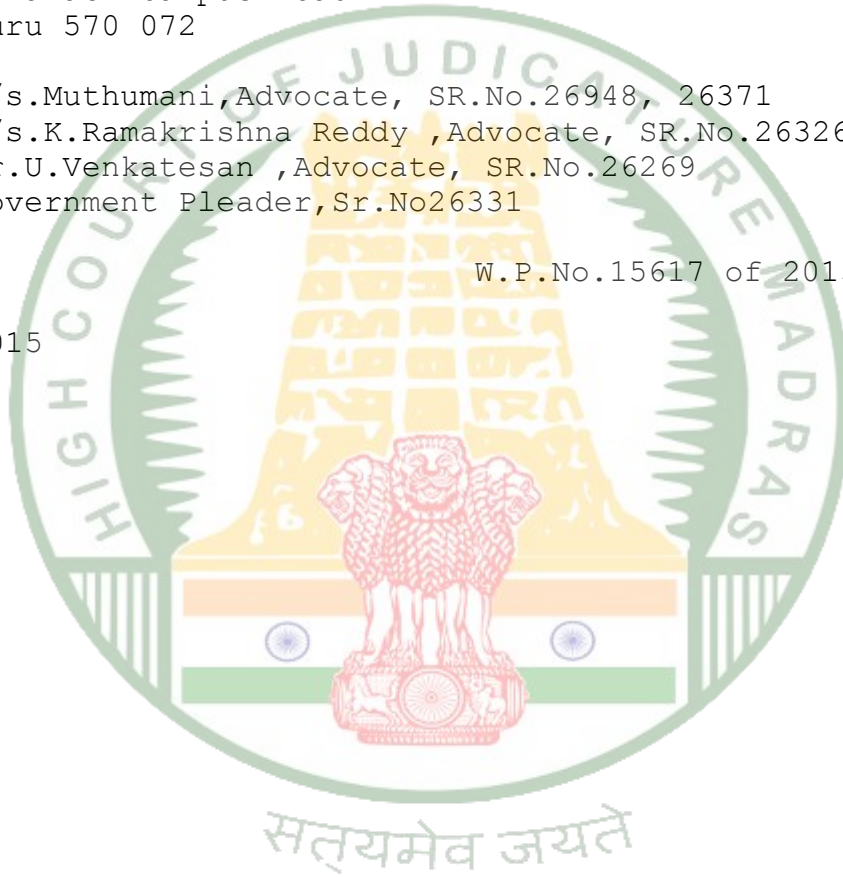
1 cc to M/s.K.Ramakrishna Reddy ,Advocate, SR.No.26326

1 cc to Mr.U.Venkatesan ,Advocate, SR.No.26269

1 cc to Government Pleader,Sr.No26331

W.P.No.15617 of 2015

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