

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2903/2015

Divyakala College of Educational Trust
represented by its Chairman
Meenakshi Sundaram, Administrative
Office at No.14, W-85, 1st Avenue,
Anna Nagar West Extns, Chennai 600 101.

.. Petitioner

Versus

1.The Director
National Council for Teacher Education,
Hans Bhawan, Wing II, Bahadur Shah
Zafar Marg, New Delhi 110002.

2.National Council for Teacher Education,
Southern Regional Committee, Jana
Bharathi Campus Road, Nagarabhavi
Bangalore 560 072.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to consider the application dated 02.01.2015 and direct them to process the application and cause inspection on the petitioner college.

For Petitioner : Mr.R.Kannan

For Respondents: Mr.K.Ramakrishna Reddy

ORDER

Heard Mr.R.Kannan, learned counsel for the petitioner and Mr.K.Ramakrishna Reddy, learned Standing counsel for the respondents 1 and 2 appearing for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioner seeks for issuance of a writ of mandamus to direct the 2nd respondent to consider the application dated 02.01.2015 and direct them to process the application and cause inspection on the petitioner college.

3.The case of the petitioner is that the Divyakala Educational Trust, in order to help the downtrodden, decided to start a College and applied for the same with the 2nd respondent on 29.12.2012 through on-line and the application was also submitted in person on 04.01.2013 to start B.Ed course. The 2nd respondent, vide proceedings dated 01.06.2013, returned the application of the petitioner stating that there are certain deficiencies. The petitioner, after rectifying the deficiencies, re-submitted the application on 29.07.2013. Thereafter, the 2nd respondent rejected the petitioner's application on 09.10.2013 without assigning any reason, as against which the petitioner preferred an appeal u/s.18 [1] of the National Council of Teacher Education Act, before the 1st respondent, who directed the petitioner to appear in person on 12.04.2014 at 1.30 p.m. While so, the 1st respondent, after hearing the petitioner in person, rejected the appeal on 21.05.2014. As against the said rejection of the appeal, the petitioner filed a review petition on 04.06.2014 before the Chairman, National Council for Teacher Education, which is pending as on date.

4.In the interregnum, the 2nd respondent, by a notification in the website, has announced that the 2nd respondent is proposed to process the applications which were pending on their file as per the provisions of the revised NCTE Regulations, 2014. In view of the same, the petitioner Trust submitted an application on 02.01.2015 for grant of affiliation after complying all the conditions stipulated therein. Till date, no orders have been passed by the 2nd respondent on the petitioner's application. Hence, the petitioner is before this Court.

5.In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the 2nd respondent to consider the petitioner's application dated 02.01.2015 and pass a reasoned order on merits and in accordance with law as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

WEB COPY

6.The writ petition is disposed of with the above direction.
No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

AP

To

1.The Director
National Council for Teacher Education,
Hans Bhawan, Wing II, Bahadur Shah
Zafar Marg, New Delhi 110002.

2.National Council for Teacher Education,
Southern Regional Committee, Jana
Bharathi Campus Road, Nagarabhavi
Bangalore 560 072.

1 cc to Mr.R. Kannan, Advocate, Sr. 6565

1 cc to Mr.K. ramakrishna Reddy, Advocate, Sr. 6582

WP.No.2903/2015

AK (CO)
kk 9/2

WEB COPY