

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.32707 of 2015
and M.P.No.1 of 2015

M/s.Kumaran College of Education
rep. by its Chairman,
No.309/13 B2, Bangalore Main Road,
Melmonavoor Village,
Adbullapauram (P.O.),
Vellore-632 010. ... Petitioner

Vs.

- 1.The National Council for Teacher Education
rep. by its Member Secretary,
Hans Bhawan, Wing II,
1, Bahadur Shah Zafar Marg,
New Delhi-110 002.
- 2.The Regional Director,
Southern Regional Committee (NCTE),
Jnanabharathi Campus Road,
Nagarabhavi,
Opp. National Law School,
Bangalore-560 072.
- 3.The Vice-Chancellor,
The Tamil Nadu Teacher Education University,
Lady Wellington College Campus,
Kamarajar Salai,
Chennai-600 005.
- 4.The Tamil Nadu Teacher Education University
rep. by its Registrar,
Lady Wellington College Campus,
Kamarajar Salai,
Chennai-600 005.
- 5.K.Saravanan ... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the fourth respondent contained in the impugned order dated 15.07.2015 made in No.TNTEU/R/CC/Complaint/2015/1274 received on 25.07.2015 and quash the same and consequently, direct the fourth respondent to pass orders on the continual application dated 23.10.2014 in the light explanation dated 07.08.2015 in terms of the provisions of the Tamil Nadu Teachers Education University Act.

For Petitioner : Mrs.G.Thilakavathi
For Respondent : Mr.P.R.Gopinath
Nos.1 & 2

For Respondent : Mr.U.Venkatesan
Nos.3 & 4

O R D E R

The petitioner, which is a Teacher Training Institute has come forward to file this Writ Petition, challenging the order dated 15.07.2015, passed by the fourth respondent to show cause as to why appropriate action shall not be initiated based upon the prima-facie findings mentioned therein.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 to 4.

3.The learned counsel for the petitioner submitted that anonymous complaints have been given by the fifth respondent to the respondents 1 and 2, who in turn directed the fourth respondent to look into the matter and take appropriate action. After considering the letter of the fifth respondent dated 07.07.2014, an order was passed by the first respondent on 28.10.2015 treating the complaint as closed and therefore, no further action is required in the matter.

4.The learned counsel for the respondents 1 & 2 submitted that after the letter dated 28.10.2015, another communication has been sent by the second respondent to the respondents 3 and 4 dated 12.11.2015 seeking comments about the said complaints.

5.The learned counsel for the respondents 3 and 4 submitted that prima-facie case is made out on the alleged irregularities. He submitted that the reply given by the petitioner would be considered in a proper perspective while passing the final order. He further submitted that particulars have been sought for by letter dated 08.10.2015 from the petitioner in respect of details of land and buildings under use for offering B.Ed. Degree Programme, apart from other documents pertaining to the Industrial Training Institute.

6.By way of reply, the learned counsel for the petitioner submitted that letter of the respondent dated 08.10.2015 has also been replied on 23.10.2015 along with the relevant documents.

7.Admittedly, the order impugned is only a show cause notice and the petitioner is stated to have given its reply. Thus, it is for the respondents 3 and 4 to take appropriate

decision by considering the relevant materials. While doing so, the scope and applicability of the letter of the first respondent dated 28.10.2015 has to be taken into consideration by the respondents 3 and 4 and also, the communication of the second respondent dated 12.11.2015.

8. Accordingly, the respondents 3 and 4 are directed to pass appropriate orders after considering the above said correspondences and other relevant materials if any, within a period of six weeks from the date of receipt of a copy of this order.

9. The Writ Petition stands disposed of accordingly. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

DP

To

1. The Member Secretary,
National Council for Teacher Education
Hans Bhawan, Wing II,
1, Bahadur Shah Zafar Marg,
New Delhi-110 002.
2. The Regional Director,
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The Tamil Nadu Teacher Education University,
Lady Wellington College Campus,
Kamarajar Salai,
Chennai-600 005.
4. The Registrar, Tamil Nadu Teacher
Education University
Lady Wellington College Campus,
Kamarajar Salai, Chennai-600 005.

- + 1 cc to M/s. G. Thilakavathi, Advocate SR.66220
+ 1 cc to MR.P.R. Gopinathan, Advocate SR.66086
+ 1 cc to Mr.V. Venkatesan, Advocate SR.66401

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TM(CO)

EU 22.12.15