

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.36458 of 2015 and
M.P.No.1 of 2015

Cosmopolitan College
of Education Repd. by its Chairman
N.Vijayakumar, Sengadu Sengadu (Post), Manavala
Nagar, Sriperumbudur Taluk, Kancheepuram
District. Petitioner

- Vs -

- 1 National Council for Teacher
Education Repd. by its Regional Director
Southern Regional Committee, Jnana Bharathi
Campus Road, Opp. National Law School,
Nagarabhavi Bangalore-600 005.
- 2 The Tamilnadu Teachers
Education University Repd. by its Registrar
Lady Willingdon College Campus, Kamarajar
Salai, Chennai-600 005. Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India praying to issue Writ of mandamus
directing the second respondent University to consider the
applications made by the petitioner dated 13.05.2015,
10.06.2015, 5.7.2015, 01.08.2015, and 29.10.2015 and grant No-
objection certificate to the petitioner Institution for
commencement of the M.Ed. Course.

For Petitioner : Mr.R.Muthukumarasamy
Sr. counsel for Mr.A.Jenasenan
For R1 : Mr. M.T.Arunan
For R2 : Mr.V.Venkatesan

ORDER

The petitioner college has been running B.Ed. Course over the years. With an intention of starting M.Ed course, the petitioner sought for No Objection Certificate to respondent No.2. An application was made on 13.5.2015 followed by reminders dated 10.06.2015, 5.7.2015, 01.08.2015, and 29.10.2015 respectively. As the date for consideration for granting recognition was nearing, the petitioner in the meanwhile made an application on 12.06.2015 to respondent No.1 without even enclosing the copy of No Objection Certificate with the fond hope of getting it at the earliest point of time. By proceeding dated 21.10.2015, the respondent No.1 has issued show cause notice stating that the petitioner will have to show cause as to why the application shall not be rejected on the non submission of No Objection Certificate issued by the affiliated body. Since the respondent No.2 is yet to pass orders on the No Objection Certificate, the petitioner has rushed to this Court seeking the prayer sought for.

2. On facts, it is clear that the petitioner's application was made on 13.5.2015. Therefore, it was much earlier to the application made to respondent No.1, seeking recognition. The petitioner's position would be clear only when the respondent No.2 makes a decision on the application of the petitioner dated 13.5.2015 seeking No Objection Certificate. The further reply to be given by the petitioner to the show cause notice dated 21.10.2015 issued by respondent No.1 also depends upon this.

3. Therefore, considering the above, a direction is issued to respondent No.2 to pass appropriate orders on the application of the petitioner dated 13.5.2015 followed by the reminders ending with 29.10.2015 within a period of ten days from the date of receipt of a copy of this order. Based upon the same, the petitioner will be at liberty to give a reply to the show cause notice issued to the petitioner by respondent No.1 within a period of one week, thereafter. Considering the facts and circumstances of the case, till such time, the respondent No.1 shall not pass any final order.

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4. Writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1 Regional Director,
National Council for Teacher Education
Southern Regional Committee, Jnana Bharathi
Campus Road, Opp. National Law School,
Nagarabhavi Bangalore.
- 2 The Registrar, Tamilnadu Teachers
Education University Repd. by its
Lady Willingdon College Campus, Kamarajar
Salai, Chennai-600 005.

+1cc to Mr.M.T.Arunan, Advocate sr.61583
+1cc to Mr.A.Jenasenan, Advocate sr.61552
+1cc to Mr.U.Venkatesan, Advocate sr.61580

W.P.No.36458 of 2015

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srg 6/11/2015

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