

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.5952 of 2015

And

M.P.No.1 of 2015

Sentraya Perumal Educational Trust,
Rep. by its Managing Trustee
Mr.P.Periyannan

... 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,
National Council for Teacher Education,
Jnanabarathy Campus Road,
Opp. To National Law school,
Nagarabhavi,
Bangalore - 560 072.

... Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents especially the 2nd respondent to process the application of the petitioner submitted on 16.02.2015 under NCTE (Recognition Norms and Procedure) Regulations, 2014 and to take a decision in accordance with law within a time frame as may be fixed by this Hon'ble Court for the grant of recognition to the petitioner's college of education in the name and style of Sentraya Perumal College of Education at Nathahalli Village, Dharmapuri Taluk and District.

For Petitioner : Mr.R.Suresh Kumar

For Respondents : Mr.K.Ramakrishna Reddy
Standing Counsel

O R D E R

Heard Mr.R.Suresh Kumar, learned counsel for the petitioner and Mr.K.Ramakrishna Reddy, learned Standing Counsel accepting notice for the respondents and appearing for the respondents. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2.Petitioner is an educational trust and they have filed this writ petition seeking for direction upon the second respondent to process application given by the petitioner on 16.02.2015 under NCTE (Recognition Norms and Procedure) Regulations, 2014 within a time frame.

3.The petitioner would submit that though the earlier application submitted by the petitioner under the NCTE (Recognition Norms and Procedure) Regulations, 2009 were rejected and such order of rejection was confirmed by the Appellate Authority, now, the petitioner has filed fresh application under the NCTE (Recognition Norms and Procedure) Regulations, 2014 and that may be considered under the new Regulations.

4.The learned Standing Counsel appearing for the respondents would point out that the copy of the application is not placed in the typed set of papers filed along with the writ petition and only letter dated 16.02.2015 have been enclosed and in the said letter, it is stated that the application given by the petitioner on 16.02.2015 form part and parcel of the application filed under the NCTE Regulations 2009 in the year 2013. This according to the respondent counsel cannot be accepted, because, the earlier application has been already rejected and the order of rejection has been confirmed by the Appellate Authority.

5.After hearing the arguments advanced on both sides, this Court proposes to dispose of the writ petition with the following directions. Accordingly, Petitioner is directed to apply under the new NCTE (Recognition Norms and Procedure) Regulations, 2014 along with copy of this order, or, if the petitioner has already given proper application in the regular format, then the second respondent is directed to consider the said application under the NCTE (Recognition Norms and Procedure) Regulations, 2014 and pass orders on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above observation.
No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst. Registrar

/true copy/

pri Sub Asst. Registrar.

To

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,
National Council for Teacher Education,
Jnanabarathy Campus Road,
Opp. To National Law school,
Nagarabhavi,
Bangalore - 560 072.

+1cc to Mr.K.Ramakrishna Reddy, Advocate, S.R.No.12124
+1cc to Mr.R.Suresh Kumar, Advocate, S.R.No.12112

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SR(CO)
CA(11/03/2015)

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