

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7712/2015

Arunai College of Education,  
Rep. by its Chairman,  
G.Radhakrishnan, No.68/2C [Old No.58, 59/1  
and 59/2], Nallan Pillai, Petral Village  
Pallikondapattu Post, Thiruvannamalai District. .. 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 2<sup>nd</sup> respondent to consider the application dated 09.03.2015 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 accepting notice 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 2<sup>nd</sup> respondent to consider the application dated 09.03.2015 and direct them to process the application and cause inspection on the petitioner college.

3.The case of the petitioner is that Smt.Gandhimathi Educational Trust, in order to promote education among the downtrodden, decided to start a College and applied for the same with the 2<sup>nd</sup> respondent during the year 2006 and the 2<sup>nd</sup> respondent, vide proceedings dated 18.10.2007, granted approval to start the B.Ed course and the petitioner/college is conducting B.Ed course from the year 2008 onwards. Having become popular in the locality, the Trust submitted an application u/s.15 of NCTE Act, 1993, on 31.12.2012 for an additional intake of 100 students in the same college. The Trust also submitted another application on 02.01.2013. While the 2<sup>nd</sup> respondent has not initiated any action on the said application, a New Regulation, viz., applications seeking for starting new programmes shall be received with effect from 01.03.2015 and that as per the directions of the Hon'ble Apex Court, the pending applications, if any, before the date of the notification of the New Regulations, 2014, can also be considered under the New Regulations, has been framed by the 1<sup>st</sup> respondent which came into force from 01.12.2014.

4.It is the further case of the petitioner that their application dated 31.12.2012 is still pending on the file of the 2<sup>nd</sup> respondent and as per the New Regulations, 2014, the petitioner has once again submitted an application along with the Endowment Fee of Rs.5 lakhs, Inspection Fee of Rs.50,500/-, Reserve Fund of Rs.7 lakhs along with an affidavit for B.Ed Additional Intake of 100 students has been submitted before the 2<sup>nd</sup> respondent on 09.03.2015. As per the new norms, the recognition for the additional intake has to be obtained before 31.03.2015 and since no action has been taken by the 2<sup>nd</sup> respondent on the applications submitted by the petitioner/College prior to and after the framing of the New Regulations, dated 31.12.2012 and 09.03.2015 respectively, the petitioner is before this Court by way of filing the present writ petition with the aforesaid prayer.

5.In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the 2<sup>nd</sup> respondent to consider the petitioner's application dated 09.03.2015 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.

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

Sd/-  
Assistant Registrar  
Dated:25.3.15

True Copy

Sub Assistant Registrar

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 M/s.R.Kannan, Advocate, SR.15641.

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