

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.12235 of 2016

Sri Venkatesawara College of Education,
rep. by its Correspondent
S.V.G.Puram (Near Samathuvapuram),
Vanganoor Post,
Pallipet Taluk,
Tiruvallur District-304. ... Petitioner

vs.

1.The Government of Tamil Nadu,
rep. by its Secretary,
Higher Education Department,
Fort St. George, Chennai-9.

2.The National Council for Teacher
Education,
Southern Regional Committee,
Nagarabhavi,
Jnana Bharathi Campus Road,
Opp. National Law School,
Bangalore-72.

3.The Registrar,
Tamil Nadu Teachers Education
University,
Lady Willingdon College Campus,
Kamarajar Salai, Chennai-5.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the third respondent to consider the application of the petitioner dated 1.4.2015 and grant affiliation to the petitioner by taking into consideration the recognition granted to the petitioner by the second respondent by order dated 3.3.2015 within a stipulated period.

For Petitioner : Mr.B.Jawahar

For Respondents : Mr.V.Jayaprakash Narayanan,
Spl. Govt. Pleader,
for R.1

Mr.V.Ramakrishna Reddy,
for R.2

Mr.U.Venkatesan,
for R.3

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner institution has come up with the present writ petition for a mandamus, directing the third respondent to consider their application dated 1.4.2015 and grant affiliation to them by taking into consideration the recognition granted to them by the second respondent by order dated 3.3.2015 within a stipulated period.

3. It is the case of the petitioner institution that the Sathya Sai Educational Trust intended to start a College of Education. Hence, they applied to the second respondent on 1.10.2010 to start a college of education in the name of Sri Venkatesawara College of Education and the second respondent also granted recognition on 3.3.2015 for the academic year 2015-2016, for which the third respondent has to give affiliation. Hence, after applied for grant of recognition, the petitioner applied to the third respondent on 24.12.2012 for provisional affiliation to the college and they have also paid a sum of Rs.1,25,000/- by way of Demand Draft in favour of the third respondent. On 2.3.2015, the third respondent granted approval to the list of staff appointed by the management. The said approval was granted to get recognition from the second respondent. After the recognition was granted by the second respondent, on 1.4.2015, the petitioner applied to the third respondent for affiliation to the institution from the academic year 2015-2016. Though the same was received by the third respondent, they have not acted upon. Hence, the petitioner institution could not admit the students in the academic year 2015-2016. If the third respondent failed to give affiliation before April 2016, the petitioner institution cannot admit the

students even for the academic year 2016-2017. The petitioner is ready and willing to make the statutory charges payable to the third respondent. They have complied with all the formalities as per the rules. Absolutely, there is no justification on the part of the third respondent in keeping the application of the petitioner pending for nearly one year. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the first respondent and the learned counsel appearing for the respondents 2 and 3.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the third respondent to consider the application of the petitioner dated 1.4.2015 for grant of affiliation to them, by taking into consideration the recognition granted to them by the second respondent by order dated 3.3.2015 and pass appropriate orders / take appropriate action, on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sbi

TO

1.The Secretary to Government,
Government of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai-9.

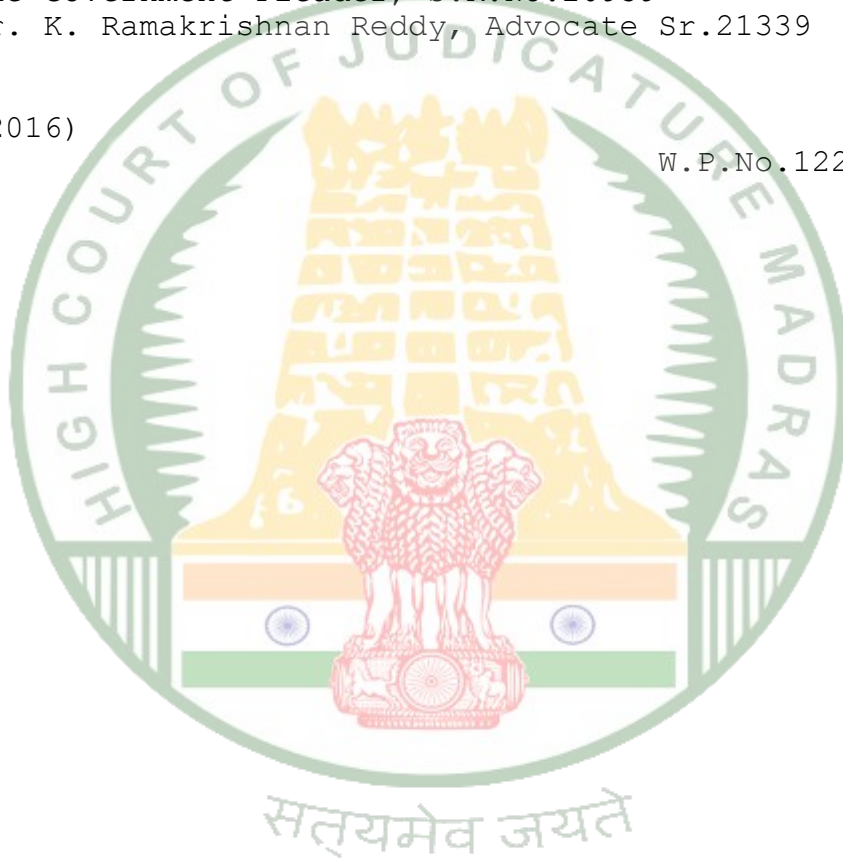
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3.The Registrar,
Tamil Nadu Teachers Education
University,
Lady Willingdon College Campus,
Kamarajar Salai, Chennai-5.

+1cc to Mr.U. Venkatesan, Advocate, S.R.No.20440
+1cc to Mr.B. Jawahar, Advocate, S.R.No.20479
+1cc to the Government Pleader, S.R.No.20939
+1cc to Mr. K. Ramakrishnan Reddy, Advocate Sr.21339

CNR(CO)
EU(13/04/2016)

W.P.No.12235 of 2016



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