

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15963 of 2016

K.Titus,
Correspondent
Christian Teachers Training Institute. ... Petitioner

vs.

1.The Director,
Directorate of Teacher Education
Research and Training,
College Road, chennai-6.

2.The Director of Government
Examinations,
Chennai-6. Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to issue Elementary (D.T.Ed) Teacher Training Course Certificate for the students who have undergone the course for the year 2004-2006 and 2005-2007 immediately so that the students who have passed the examination can utilize the certificate for seeking employment.

For Petitioner : Mr.V.Suthakar

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

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to issue Elementary (D.T.Ed) Teacher Training Course Certificate for the students who have undergone the course for the year 2004-2006 and 2005-2007 immediately so that the students who have passed

the examination, can utilize the certificate for employment.

3. The case of the petitioner, in brief, is as follows:-

(a) The petitioner is the Correspondent of the Christian Teacher Training Institute for Women administrated by Christhava Dharma Sthapana Sangam. The Southern Regional Committee of the National Council for Teacher Education, Bangalore has granted recognition to the petitioner institution as an 'existing institution' by its order dated 25.10.2005 to offer the course viz., Elementary (D.T.Ed) Teacher Training Course from the academic session 2005-2006 and the National Council for Teacher Education treated the petitioner institution as an existing institution and granted recognition to offer the said course. Pursuant to the said recognition, the petitioner made a representation dated 29.1.2016 to the first respondent requesting him to approve the faculty members working in their institution.

(b) The petitioner institution has also admitted students for Elementary (D.T.Ed) Teacher Training Course of two years duration viz., 46 students for the year 2004-2006 and 39 students for the year 2005-2007. The Government of Tamil Nadu made approval of staff working in Teacher Institute as a pre-condition for permitting the students to write the examination even though they have got recognition from National Council for Teacher Education. Since the staff working in the petitioner institution was not approved, the second respondent herein refused to issue hall tickets to write the examinations who have undergone Elementary (D.T.Ed) Teacher Training Course for the year 2004-2006 and 2005-2007.

(c) It is well settled legal principle that grant of approval / affiliation of the institution and approval of staff list by the State authorities is no longer required for permitting the students to write the examination provided the institution is having valid recognition from National Council for Teacher Education. In the instant case, the petitioner institution has a valid recognition from the National Council for Teacher Education and the National Council for Teacher Education has also treated the petitioner institution as an existing institution. In such event, there is no impediment to issue certificates for the students who have undergone Elementary (D.T.Ed) Teacher Training Course in the petitioner institution in the year 2004-2006 and 2005-2007 and the respondents are duty bound to issue the certificates after declaring the results. Due to the non-issuance of certificate by the Government of Tamil Nadu, criminal prosecution has been

launched by the students against the petitioner institution. Unless the certificates are issued to the students, the petitioner would be put to irreparable loss and hardship. In this regard, the petitioner made a representation dated 25.1.2016 to the respondents. But, the same was not considered so far. Hence, left with no other alternative, the petitioner institution 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 respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the first respondent to consider the representation of the petitioner dated 25.1.2016 seeking to issue Elementary (D.T.Ed) Teacher Training Course Certificate for the students who have undergone the course in the petitioner institution for the year 2004-2006 and 2005-2007 and pass appropriate orders / take appropriate action, on merits and in accordance with law, within a period of twelve 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-III)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Director,
Directorate of Teacher Education
Research and Training,
College Road, Chennai-6.

2.The Director of Government
Examinations, Chennai-6.

1 cc to Mr.V.Suthakar, Advocate, sr.26854

W.P.No.15963 of 2016

pa co, kra 01.06.2016