

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.05.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18301 of 2016 & W.M.P.No.16008 of 2016

Usha Latchumanan College of Education,  
(run by SMG Anjalai Ammal Educational Society  
Regn.No.195/1993), rep by its  
Correspondent,  
Vazhapadiar Nagar,  
Thirukkanur,  
Puducherry 605 501. ... Petitioner

/vs/

- 1.National Council for Teacher Education,  
Southern Regional Committee,  
rep.by its Regional Director,  
Jnana Bharathi Campus Road,  
Opp.National Law School,  
Nagarabhavi,  
Bangalore 560 072. .. Respondents
- 2.Pondicherry University,  
rep.by its Registrar,  
R.Venkataraman Nagar,  
Kalapet,  
Puducherry 605 014. .. Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to grant Permanent Recognition to the petitioner for Four Years Integrated Innovative B.A., B.Ed.,/B.Sc., B.Ed., Course from the academic year 2016-2017 and to consequently direct the 2nd respondent to grant Permanent Affiliation to the petitioner for Four Years Integrated Innovative B.A., B.Ed.,/B.Sc., B.Ed., Course from the academic year 2016-2017 by considering the petitioner's application dated 30.04.2016 within a time frame to be fixed by this Court.

For Petitioner :Mr.L.S.M.Hasan Fizal

For Respondents:Mr.P.R.Gopinath for R1

Mr.Stalin Abmanyu for R2

## O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2 The petitioner claims that its College was established in the year 1999-2000 in a rural locality for imparting higher education to the poor and needy students belonging to the weaker sections of the society and a permanent recognition was given by the first respondent for imparting B.Ed., course of one year duration from 2004-2005 with an annual intake of 100 students. The petitioner further state that it is complying with all the norms and conditions stipulated by National Council for Teachers Education [NCTE] and also other norms and conditions stipulated by the second respondent / University. Based on the performance of the petitioner / Institution, the College Development Council [CDC] has also recommended for recognition by the University Grants Commission [UGC]. It is further submitted by the petitioner that it applied for grant of permanent affiliation with the second respondent. The petitioner also fulfilled the norms fixed by the second respondent in granting permanent affiliation of the College i.e. 13 consecutive batch of students, over and above the three minimum batches stipulated by the University. The petitioner with an intention to commence a new course in the existing college, sought permission from the second respondent to commence Four Year Integrated Innovative B.A., B.Ed., and B.Sc., B.Ed., course in the year 2015-2016 and accordingly, applied to the first respondent by means of application 08.05.2015 and since there was no response, made another application on 13.07.2015 seeking No Objection Certification from the second respondent and the 2<sup>nd</sup> respondent also granted No Objection Certification. In the interregnum, the NCTE vide communication dated 04.04.2016, had directed all the four Regional Committees to take necessary action for grant of final recognition for the year 2016-2017 before 02.05.2016 to enable the second respondent to grant affiliation before 30.05.2016. The petitioner, in this regard, has also made a request on 29.04.2016 to grant permission / recognition and also sent an on-line application on 30.04.2016 and since there was no response, sent reminders on 04.05.2016 and 09.05.2016 and in the absence of any response, the petitioner is constrained to file this writ petition.

3 The learned counsel appearing for the petitioner would submit that the dispute is with regard to the payment effected and in the representation dated

09.05.2016 submitted to the first respondent, the petitioner has prayed for necessary permission for provisional recognition to save the present academics. He would further submit that since the application submitted by the petitioner is complete in all aspects, there cannot be any impediment on the part of the 1<sup>st</sup> respondent to consider their representation and prays for appropriate orders.

4 Per contra, Mr.P.R.Gopinath, learned Standing Counsel appearing for the 1<sup>st</sup> respondent, draws the attention of this Court to the written instructions and would submit that the on-line application submitted by the petitioner is not complete insofar as the payment made is concerned and the 1<sup>st</sup> respondent has also indicated that the applicant is to submit the details in Application No.1 and Application No.2, which include payment details and after the process is successfully completed, the application I.D. will be generated and accordingly, prays for appropriate orders.

5 Though the petitioner has prayed for larger relief, this Court, in the light of the above facts and circumstances, directs the 1<sup>st</sup> respondent to consider and dispose of the petitioner's representation dated 09.05.2016 on merits and in accordance with law and pass orders on or before 08.06.2016 and inform the decision taken, to the petitioner.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

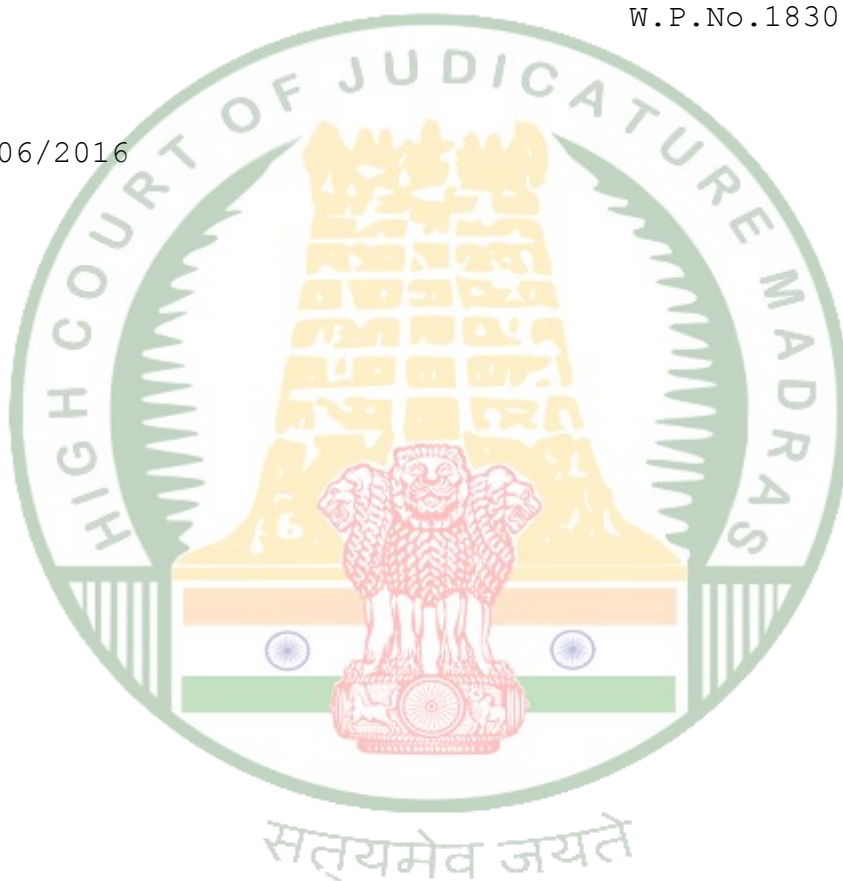
1.The Regional Director,  
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Southern Regional Committee,  
Jnana Bharathi Campus Road,  
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Bangalore 560 072.

2.The Registrar,  
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R.Venkataraman Nagar,  
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Puducherry 605 014.

+1cc to Mr.LSM.Hasan Fizal, Advocate Sr.28931

W.P.No.18301 of 2016

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srg 01/06/2016



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