

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24779 of 2016
and
WMP.No.21182 of 2016

The Correspondent
Sathyabama College of Education
Panangudi - 611 002.
Nagapattinam District. Petitioner

Vs.

1. The Secretary to Government of Tamilnadu
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Regional Director,
National Council for Teacher Education,
Southern Regional Committee,
Jnana Bharathi Campus Road,
Opp. National Law School,
Nagarabhavi, Bangalore-560 072.
3. The Tamil Nadu Teachers Education University,
Rep. by its Registrar,
Lady Willingdon College Campus,
Kamarajar Salai, Chennai-600 005. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the third respondent the Tamil Nadu Teachers Education University to consider and pass orders forthwith on petitioner's application dated 16.07.2015 together with the reminder dated 24.06.2016 for affiliation to offer the Bachelor Degree in Education (B.Ed.) Course from the academic year 2016-2017 as may be prescribed by this Court.

For Petitioner : Ms.H. Mary Sowmi Rexi

For Respondent : Mrs.P.Rajalakshmi
Government Advocate for R1

Mr.K.Ramakrishna Reddy for R2
Mr.U.Venkatesan for R3

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner claims to be a charitable trust registered under Document No.4 of 1997 dated 13.03.1997 in the office of the Sub-Registrar, Vedaranyam, Nagapattinam District and it has established a college, namely Sathyabama College of Education, Panangudi, Nagapattinam District to offer Bachelor Degree in Education (B.Ed.) and put up all the infrastructural facilities for starting the said course. The petitioner, in order to get recognition, has submitted an application to the second respondent in the prescribed format through on-line for starting B.Ed. Degree course for the academic year 2013-2014 and paid the necessary fee and also complied with all necessary formalities. A team deputed by the second respondent has conducted inspection and according to the petitioner, the team was fully satisfied with the facilities available in the institution. However, the second respondent has rejected the petitioner's application on 28.02.2014 and an appeal was preferred to the Appellate Authority, who, vide order dated 15.10.2014, has remanded the matter once again to the second respondent, who in-turn, vide communication dated 19.12.2014, has asked for certain clarifications/details and those details have also been furnished. The second respondent, on being satisfied with the same, has issued a Letter of Intent on 27.01.2015 for grant of recognition for starting B.Ed. Degree and the third respondent has also applied to the third respondent requesting for provisional qualification approval of the teaching staff appointed by the College and it was also granted, vide communication dated 03.03.2015 for conducting B.Ed. Programme of 2 years duration with the annual intake of 100 (2 units) students from the academic session 2015-2016. The petitioner has also submitted an application dated 16.07.2015 to the third respondent seeking affiliation and necessary fees have also been paid and also sent a reminder dated 24.06.2016 and since no orders have been passed, came forward to file this writ petition.

3. Heard the submissions of Ms.H.Mary Sowmi REXI, learned counsel appearing for the petitioner, Mrs.P.Rajalakshmi, learned Government Advocate who accepts notice for the first respondent, Mr.K.Ramakrishnan Reddy, learned counsel who accepts notice for the second respondent and Mr.U.Venkadesan, learned counsel who accepts notice for the third respondent.

4. This Court, in the light of the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the third respondent to consider and dispose of the petitioner's representation dated

16.07.2015 as well as the reminder dated 24.06.2016 in accordance with law and pass orders within a period of three weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

jvm

To

1. The Secretary,
The State of Tamilnadu,
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Regional Director,
National Council for Teacher Education,
Southern Regional Committee,
Jnana Bharathi Campus Road,
Opp. National Law School,
Nagarabhavi, Bangalore-560 072.
3. The Registrar,
The Tamil Nadu Teachers Education University,
Lady Willingdon College Campus,
Kamarajar Salai, Chennai-600 005.

+1cc to M/s.P.Godson Swaminath, Advocate, S.R.No.40299

+1cc to Mr.U.Venkatesan, Advocate, S.R.No.40117

+1cc to the Government Pleader, S.R.No.40620

W.P.No.24779 of 2016

BVR(CO)
CA(21/07/2016)