

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.32872 OF 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction of the second respondent in considering the request of the first petitioner to issue 'No Objection Certificate' for enabling the second petitioner-Institution to start M.P.Ed. Course, as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for School Education representing the first respondent.

3. The first petitioner-Society was registered under the A.P.Societies Registration Act, 2001 on 20.02.2015 vide Registration No.255 of 2015 for the purpose of promoting education by establishment of educational institutions, more particularly, for the benefit of Muslim Minority Community. The first petitioner-Society is intending to establish the second petitioner-institution as a Minority Educational Institution for imparting training in M.P.Ed. Course. The first petitioner submitted an online application to the National Council for Teacher Education (for short, 'N.C.T.E.'), which is the apex body for granting permission insofar as teacher education is concerned, for starting of M.P.Ed. Course in the second petitioner-Institution. As per the Rules and Regulations of the N.C.T.E., the first petitioner has to obtain affiliation from the concerned University i.e., Mahatma Gandhi University, Anneparthi Village, Nalgonda District, represented by its Registrar. On 26.07.2016 the first petitioner submitted an application to the second respondent-University along with D.D. bearing No.243444

dated 25.07.2016 for Rs.20,000/- towards the payment of processing fee.

4. The contention of the learned counsel for the petitioners is that the N.C.T.E. would not grant permission without obtaining No Objection Certificate from the second respondent-University. For one reason or other, the second respondent has not disposed of the application of the first petitioner dated 26.07.2016.

5. At the time of arguments, the only relief sought for by the learned counsel for the petitioners is to direct the second respondent-University to dispose of the application of the first petitioner dated 26.07.2016 as expeditiously as possible.

6. In view of the submission made by the learned counsel for the petitioners, this Court is not inclined to go into the merits of the main case.

7. Having regard to the facts and circumstances of the case and also the submission made by the learned counsel for the petitioners, the second respondent is hereby directed to dispose of the application of the first petitioner dated 26.07.2016 in accordance with law, as expeditiously as possible, preferably within a period of three (3) weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 27.09.2016
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