

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.08.2017
CORAM
THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU
W.P.No.7386 of 2004

K.S.Chitra

... Petitioner

vs.

1. Madras University,
rep. by its Vice Chancellor,
Chepauk,
Chennai - 600 005.
 2. The Principal
Meston College of Education,
No.33, West Cott road,
Royapettah,
Chennai - 600 014.
 3. National Council for Teacher Education,
Southern Regional committee,
1st Floor, CSD Building,
HMT Complex, HMT Post,
Bangalore - 560 031
 4. Rehabilitation Council of India,
23-A, Shivaji Marg,
(Near Karamura complex)
New Delhi 110 015.
 5. S.B.T.T.T.College,
Anbagam Institute for the
Mentally Handicapped Children,
Anbagam Extension, DRO Colony,
Madurai - 625 007
- ...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to permit the petitioner to appear for the exam, Education for the Mentally Handicapped for B.Ed in any one of the colleges recognised by the 4th respondent and consequently directing the Respondent Nos. 1 to 3 to pay a compensation of Rs.5 lakhs to the petitioner for having put the petitioner through an unrecognised B.Ed. course in Education for the Mentally Handicapped.

For Petitioners : Ms.C.Uma
for Mr.L.s.M.Hasan Fizal

For Respondents : Mr.R.Gopinath,
Standing counsel for R1
Mr.J.James,
Standing counsel for R2
Mr.P.R.Gopinathan,
Standing counsel for R3
No appearance for R4 and R5.

O R D E R

The petitioner seeks for the following relief:

To direct the 1st respondent to permit the petitioner to appear for the exam, Education for the Mentally Handicapped for B.Ed in any one of the Colleges recognised by the 4th respondent and consequently directing the Respondent Nos. 1 to 3 to pay a compensation of Rs.5 lakhs to the petitioner for having put the petitioner through an unrecognised B.Ed. course in Education for the Mentally Handicapped.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the first respondent.

3. It appears that the petitioner completed her B.Ed., with the optional subject, Education for the Mentally Handicapped in the year 1999 at the 2nd respondent Institution, even though the said Course was not recognised by the 1st respondent University. Thereafter, the petitioner had chosen to complete her B.Ed. Degree with the optional subjects, Biology I & II after obtaining necessary permission from the University. It is stated that the petitioner has passed her B.Ed. Degree with the optional subject of Biology conducted in the year 2003.

4. Now, the University has filed a counter by stating that it had already sent a communication to the petitioner on 03.03.2003 itself indicating that she should return her original B.Ed. Degree Certificate already possessed by her initially with the optional subject, Education for the Mentally Handicapped for the purpose of granting a fresh B.Ed. Degree Certificate with the optional subject, Biology.

5. Learned counsel for the respondent University submitted that till this day, the petitioner has not come forward to surrender the original B.Ed. Degree with the optional subject, Education for the Handicapped, so as to enable the University to grant a fresh B.Ed. Degree Certificate with the optional

subject, Biology.

6. Learned counsel for the petitioner submitted that she is not in a position to contact her client inspite of the earnest efforts to do so.

7. Considering the above stated facts and circumstances, I do not think that the prayer sought for in this writ petition can be granted. At the same time, as the University has come forward to issue a fresh B.Ed. Degree with optional Biology subject to the petitioner, provided, she surrenders the original B.Ed. Degree Certificate passed with the optional subject, Education for the Mentally Handicapped, this Writ petition is disposed of, by directing the petitioner to surrender the said original B.Ed. Degree Certificate already possessed by her with the optional subject, Education for the Mentally Handicapped to the first respondent University, within a period of four weeks from the date of receipt of a copy of this order. On surrendering such certificate, the first respondent University is directed to issue a fresh B.Ed. Degree Certificate with the optional subject, Biology, within a period of four weeks thereafter. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Vice Chancellor
Madras University,
Chepauk,
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Anbagam Institute for the
Mentally Handicapped Children,
Anbagam Extension, DRO Colony,
Madurai - 625 007

+1 cc to M/s.C.Uma Advocate sr 61476

+1 cc to M/s.R.Gopinath Advocate sr 61359

+1 cc to M/s.J.James Advocate sr61194

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sr(co)
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