



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.1722 of 2017

A.Inbakumar

... Petitioner

Vs.

The State of Tamil Nadu,
The Principal Secretary,
School Education Department, Secretariat,
Chennai - 600 009.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 07.01.2016 in the light of NCTE amendment notification F.No.61-1/2011/NCTE (N&S) dated 29th July, 2011.

For Petitioners : M/s.T.Thangamani
For Respondent : Mr.J.Gunaseelan Muthiah,
Government Advocate

ORDER

This writ petition has been filed by the petitioners seeking a Writ of Mandamus, directing the respondent to consider his representation dated 07.01.2016, so as to implement the amended notification of National Council for Teacher Education in F.No.61-1/2011/NCTE (N&S) dated 29.07.2011.

2. Alleging that in spite of amended notification issued by the National Council for Teacher Education dated 29.07.2011, the respondent failed to take follow-up action, the petitioner had submitted a representation on 05.06.2014 and due to the inaction on the part of respondent, the petitioner was constrained to file W.P (MD) No.10296 of 2014 and by order dated 24.07.2014, this Court directed the respondent to consider and dispose of the representation within a period of three months. Pursuant to the said direction, the respondent by communication dated 02.12.2014, had also requested the Chairman, Teachers Recruitment Board, to mention the amended notification of NCTE as an essential qualification in the forthcoming TET notifications. But thereafter, there was no action on the part of the officials, which forced the petitioner to submit several representations and finally on 07.01.2016, which also



failed to meet its fate, at the hands of the respondent and hence, the petitioner is before this Court, again.

3. Heard the learned Counsel for the petitioner as well as the learned Government Advocate appearing for the respondent.

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4. Considering the facts and circumstances of the case, as well as the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's case, directs the respondent to consider his representation dated 07.01.2016 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. The respondent is further directed to take follow-up action in this regard.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

The Principal Secretary,
The State of Tamil Nadu,
School Education Department, Secretariat,
Chennai - 600 009.

+ 1 CC TO M/S.T.THANGAMANI, ADVOCATE IN SR No. 82388

GK

TE/KP/SAR-II : 25/10/2017 : 2P/3C

W.P. (MD) No. 1722 of 2017
11.10.2017