

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 24530 of 2017

ORDER :

Heard learned counsel for the petitioner, learned Government Pleader for Education appearing for respondent Nos.1 and 4, Sri V.Kishore, learned Standing Counsel appearing on behalf of respondent No.2, Sri K.Jyothi Prasad, learned Standing Counsel appearing on behalf of respondent No.3, Sri B.Rajkiran, learned Standing Counsel appearing on behalf of respondent No.5. With the consent of both parties the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No. 1 in not granting permission to the petitioner-college to start B.Ed. course despite recognition being granted by National Council for Teacher Education (NCTE) for starting B.Ed. course for the present academic year; seeking to proceed with counseling from 27.07.2017 to 31.07.2017 for admission into B.Ed. course by respondent No.3 as illegal and arbitrary and consequently direct respondent Nos.1 and 5 to grant affiliation to the petitioner college to start B.Ed. course for the current academic year and further direct the respondents to include the petitioner-college in the counseling commencing from 27.07.2017 to 31.07.2017 for admission into B.Ed. course to be conducted by respondent No.3.

3. The grievance of the petitioner is that despite recognition being granted by the NCTE, for commencing B.Ed. course for the present academic year and though the petitioner college was granted permission with annual intake of 50 students, the respondent University is not granting any affiliation which according to the petitioner is only formal. The grievance of the petitioner is that respondent University is not even taking the application made by the petitioner for grant of affiliation, after inspection. It is the case of the petitioner that permission from the Government is immaterial, once NCTE grants recognition to the college. At this stage, learned Standing Counsel appearing for respondent No.5 would submit that if an application is made, definitely, the University would conduct inspection and then pass orders, at the earliest.

4. In view of the statement made by the Standing Counsel appearing for respondent No.5 – University, the writ petition is disposed of directing the petitioner to make a suitable application seeking affiliation forthwith, in which event, the respondents shall deal with the same, in accordance with law and pass appropriate orders thereon, as early as possible, preferably within a period of three days thereafter. No costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

25.07.2017

Note:

Issue CC today.

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