

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.03.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.9751 of 2013

and

M.P.No.2 of 2013

KJN Educational College
Administered by Alamelu Ammal Educational Trust
No.90, Ushaa Garden
Kannigaipair(PO)
Chennai - Periyapalayam Highway
Uthukottai TK
Thiruvallur District - 601 102.
Rep.by its Chairman
S.Jayachandran ..Petitioner

vs

The Regional Director
National Council for Teacher Education
Southern Regional Committee
Nagarabhavi
(Opp.National Law School University)
Bangalore - 560 072. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records from the Respondent relating to his impugned decision of the 241st Meeting of the SRC, NCTE dated 29th to 31st March 2013 and 1st April 2013, quash the same as far it relates to the petitioner in item No.82(APS04870) is concerned and further forbear the Respondent from in any way withdrawing the recognition granted to the petitioner namely KJN Educational College, No.90, Ushaa Garden, Kannigaipair(PO), Chennai-Periyapalayam Highway, Uthukottai TK, Thiruvallur District - 601 102, without conducting proper inspection on the petitioner institution for verification of records.

For Petitioner : M/s.B.Rabu Manohar

For Respondent : Mr.G.Jehanathan

O R D E R

This writ petition has been filed to quash the decision of the 241st Meeting of the SRC, NCTE dated 29th to 31st March 2013 and 1st April 2013 in so far as the item no.82 is concerned and to forbear the respondent from in any way withdrawing the recognition granted to the petitioner namely KJN Educational College.

2. When the matter was taken up for consideration, the learned counsel for the petitioner filed an additional affidavit, wherein, it has been stated as follows:

"3. It is respectfully submitted that the new regulations of the NCTE came into force in the year 2014 and all the institutions which were offering 1 year course in the B.ED was directed to convert into 2 year B.ED courses with an intake of 50 students in each academic year. Pursuant to this all the institutions were requested to submit their infrastructural facilities and fixed deposit for Rs.5 lakhs and 3 lakhs along with affidavit of the details of the infrastructure to the respondent within prescribed time and all the colleges offering B.ED courses submit their respective affidavits in accordance with their direction issued by NCTE.

4. I respectfully submit that by affidavit dated 23.1.15 along with the infrastructural details and with the original fixed deposit were submitted to the respondent on 3.2.15.

5. It is respectfully submitted that all the details were submitted and they were placed before the committee and the committee in its meeting dated 26.11.2015 formally decided for grant of extension of approval for the petitioner institution for conducting 2 years B.ED program. Though approval was decided to be granted under the 2 year programme and approved in the meeting conducted in 26.11.15, no formal orders has been issued granting approval for the 2 year programme under new NCTE regulations 2014.

6. It is respectfully submitted that in spite of the decision by NCTE for grant of approval under the new regulation, the order was not communicated to the petitioner for the reasons best known to them."

3. In view of the subsequent developments, as stated in the additional affidavit filed by the petitioner, this Court is of the opinion that the order impugned in this writ petition does not survive. However, the respondents are directed to issue the proceedings dated 26.11.2015 passed by them to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition is disposed of. No costs.
Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CCC)

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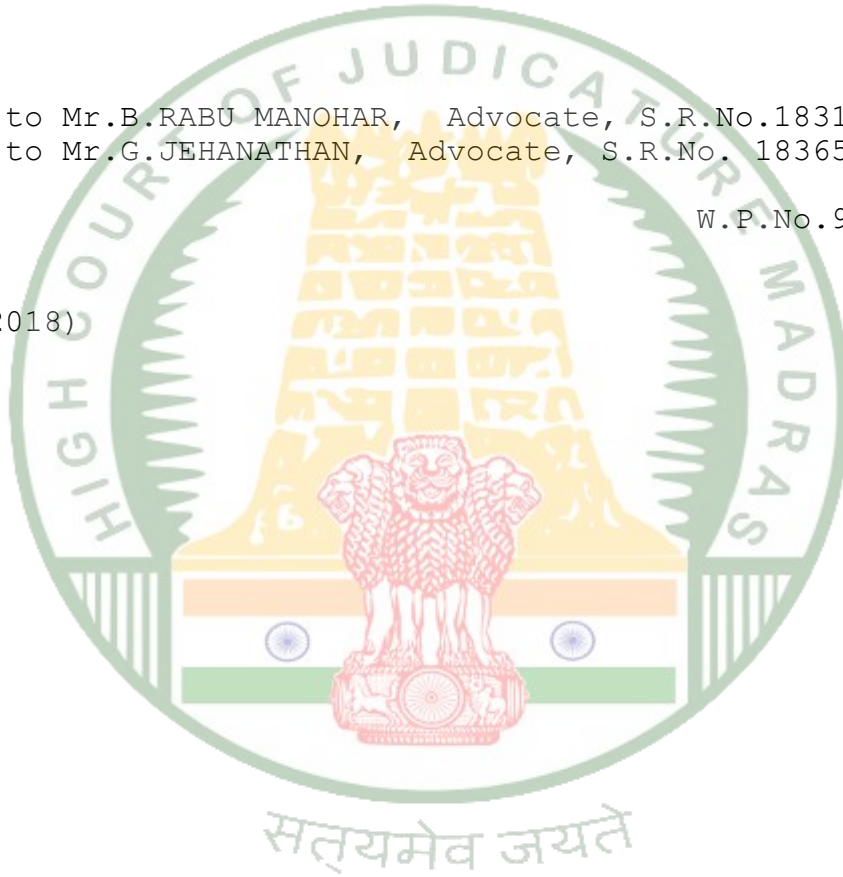
Sub Assistant Registrar

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+1cc to Mr.B.RABU MANOHAR, Advocate, S.R.No.18311
+1cc to Mr.G.JEHANATHAN, Advocate, S.R.No. 18365

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KGK (CO)
TR(10/04/2018)



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