

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.07.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN
Writ Petition No.20125 of 2019
and W.M.P.Nos.19590 & 19591 of 2019

Arutperumchothi Ramalingasammy College of Education,
Rep.by its Chairman,
Sivanandhan Roberts,
Abisegapakkam Village,
Ariankuppam-605 007,
Pondicherry.

...Petitioner

Vs

National Council for Teacher Education
Rep.by its Regional Director,
Southern Regional Committee,
G-7, Section-10, (Near Sector-10 Metro Station),
Dwaraka,
New Delhi-110075.

... Respondent

Prayer: Writ Petitions are filed under Article 226 of the
Constitution of India, to issue a Writ of Certiorari
calling for the records and quash the impugned order
passed by the respondent vide F.SRC/NCTE/APS02323/106206
dated 25.06.2019.

For petitioner : Mr.R.Kannan

For Respondent : Mr.Su.Srinivasan
Standing counsel

O R D E R

Heard the learned counsel for the petitioner and the
learned Standing counsel for National Council for Teacher
Education.

2. The main contention of the learned counsel for
the petitioner is that the impugned order dated
25.06.2019, withdrawing the recognition of the petitioner
institute pursuant to the inspection report of the
Southern Regional Committee is bad in law. The petitioner
institute is running B.Ed and D.El.Ed (D.T.Ed) course
since 2007 has been suddenly placed under unrecognized
category by virtue of impugned order dated 25.06.2019 and
no opportunity is given to the petitioner before passing
the impugned order.

3. The learned Standing counsel for the respondent submitted that only after give an opportunity, the impugned order has been passed since the petitioner institute has failed to produce the documents about his title and other infrastructures. Further, the learned counsel for the respondent would submit that if at all the petitioner has aggrieved by the impugned order, he has a right to file an appeal before the statute, instead of approaching the appellate authority, he has filed a writ petition before this Court.

4. One of the contention raised by the learned counsel for the petitioner is that when the Hon'ble Supreme Court has fixed a dead line for considering the application for renewal of recognition as 30th April, the respondent ought not to have passed the impugned order after the dead-line thereby, the petitioner has put to grave hardship.

5. Considering the above submissions and legal position, the petitioner is directed to prefer an appeal before the appellate authority as per Section 18 of the National Council for Teacher Education Act. The petitioner shall file his appeal within a period of 5 days from today. On receipt of the appeal, the respondent shall dispose of the appeal within a period of 10 days. Till then status quo as on 24.06.2019 shall be maintained. The petitioner shall also not admit any students in anticipation of order from the respondent.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.
pl

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

To
The Regional Director,
National Council for Teacher Educational
Southern Regional Committee,
G-7, Section-10, (Near Sector-10 Metro Station),
Dwaraka, New Delhi-110075.
+1cc to Mr.Su.Srinivasan , Advocate SR.No. 60352
+1cc to Mr.R.Kannan , Advocate SR.No. 60808

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A.SK (17/07/2019)