

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10747 of 2020 and
W.M.P.No.13061 of 2020

BTK College of Education
Rep by its Chairman,
B.T.Arasakumar
Manaparai Road, Opp to E.B.Office,
Viralimalai,
Pudukkottai District 621 316.

... Petitioner

Vs.

1.The National Council for Teacher Education,
Rep by its Member Secretary,
G-7, Sector -10, Dwarka,
Delhi 110075.

2.The National Council for Teacher Education,
Rep by its Regional Director,
G-7, Sector -10, Dwarka,
Delhi 110075.

3.The Registrar,
Tamil Nadu Teachers Education University,
Gangaiamman Koil Street, Karapakkam,
Chennai 97.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the first respondent to dispose of the Statutory Appeal filed by the petitioner vide Appeal Number: APPLSRC202013664 for B.Ed course dated 13.05.2020 and vide Appeal Number APPLSRC202013665 for M.Ed course dated 20.05.2020 within a time frame fixed by this Court consequently forbearing the third respondent from proceeding further based on their proceedings vide Communication No.TNTEU/R/Affiliation/2020/605 dated 28.07.2020 till the statutory Appeal preferred by the petitioner to the first respondent is disposed of and pass orders.

For Petitioner : Mr.E.Vijay Anand
For Respondents: Mr.Su.Srinivasan,
Standing Counsel for R1 and R2

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the first respondent to dispose of the Statutory Appeals filed by the petitioner College on 13.05.2020 for the B.Ed course and on 20.05.2020 for the M.Ed course.

2.The case of the petitioner is that they got the approval from the first respondent in the year 2006 for both the B.Ed and M.Ed course. Subsequently in the year 2016, the first respondent also granted permission for increase in intake.

3.The petitioner received a show cause notice from the second respondent and subsequently, the recognition has been withdrawn for both B.Ed and M.Ed course. Aggrieved by the same, the petitioner has filed two appeals before the first respondent dated 13.05.2020 and 20.05.2020 respectively. It is seen from the Status Report that the petitioner has also paid the necessary fee. The appeals are pending before the first respondent. In the meantime, the third respondent issued a show cause notice on 28.07.2020 calling upon the petitioner to give their explanation as to why the College should not be put under No Admission category for the academic year 2020-21 onwards. The petitioner has now approached this Court seeking for a direction to the first respondent to dispose of the appeals within the time stipulated by this Court and further direct the third respondent to keep the show cause notice in abeyance till and the appeals are disposed of by the first respondent.

4.The learned counsel for the petitioner submitted that the petitioner College was started from the year 2006 onwards and all of a sudden by quoting the subsequent regulation, the recognition has been withdrawn. The appeals have been filed in the month of May 2020 itself and are yet to be considered by the first respondent. In the meantime, the third respondent is taking effective steps to bring the petitioner College under No Admission category. The learned counsel submitted that the steps taken by the 3rd respondent will adversely affect the interest of the petitioner College

5.Per contra, Mr.Su.Srinivasan, learned counsel appearing on behalf of respondents 1 and 2 submitted that the petitioner College will have to submit the hard copy of the entire documents along with the application and only then the appeals can be processed before the first respondent. The learned counsel further submitted that the recognition has been withdrawn as early as in February 2020 and therefore, there is no question of the petitioner College proceeding to admit any student in the current academic year. The learned counsel

further submitted that sufficient time may be granted to the first respondent to consider and dispose of the appeals within the time frame fixed by this Court.

6.This Court has carefully considered the submissions made on either side and the materials available on record.

7.The recognition given to the petitioner College has been withdrawn from February 2020. Till the recognition is restored, there is no question of the petitioner College admitting any students for B.Ed and M.Ed courses. The appeals filed by the petitioner College are pending before the first respondent. The petitioner College shall submit the hard copy of the entire set of documents to the first respondent, if they have not already submitted the same, within a period of one week from Today. The first respondent shall deal with the appeals filed by the petitioner College on 30.05.2020 and 20.05.2020 strictly in accordance with the regulations and final orders shall be passed within a period of eight weeks from the date of receipt of a copy of this order. The petitioner College is directed not to admit any students for the current academic year 2020-21, until the final orders are passed by the first respondent. In view of this direction issued by this Court, the third respondent shall keep the proceedings in abeyance, till the final orders are passed in the appeals by the first respondent.

8.This writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

vr
To

1.The Member Secretary,
National Council for Teacher Education,
G-7, Sector -10, Dwarka,
Delhi 110075.

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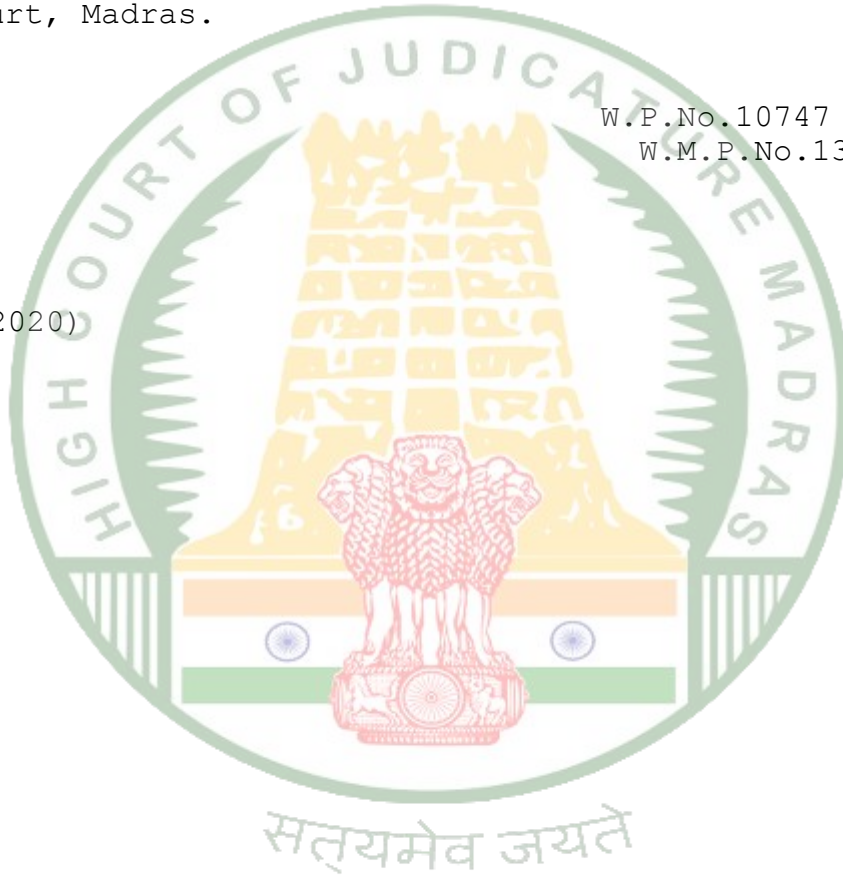
2.The Regional Director,
National Council for Teacher Education,
G-7, Sector -10, Dwarka,
Delhi 110075.

3.The Registrar,
Tamil Nadu Teachers Education University,
Gangaiamman Koil Street, Karapakkam,
Chennai 97.

4.The Government Pleader,
High Court, Madras.

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PP(CO)
SP(05/09/2020)



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