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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 8696 of 2015
and
M.P.No.1 of 2015

Tamil Nadu Catholic Educational Association
Rep. by its Secretary Cum Treasurer,
Fr.S.Arulappan,
Diocesan Pastoral Centre,
25, Rosary Church Road,
Santhome, Chennai - 600 004.

...Petitioner

Vs

1. The National Council for Teacher Education,
Rep by its Member Secretary
Hans Bhawan, Wing II,
1, Bahadur Shah Zafer Marg,
New Delhi -110 002
2. The Regional Director,
Southern Regional Committee,
The National Council for Teacher Education,
Jnanabarathy Campus Road,
Opp. to Nation Law School,
Nagarabhavi,
Bangalore -560 072.
3. The Tamil Nadu Teacher Education University.
Rep by its Registrar,
Lady Wellington College Campus,
Kamarajar Salai,
Chennai-600 005.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Declaration, declaring Clauses 8(1) 8(4)(i)(iii) 8(11), 10(1)(2), and 11, and the related norms in Clauses 1, 2.1, 3.1, 3.3, 4.1(iii), 5.1, 5.3 in Appendix 4 and Clauses 3.1, 4.3, 4.4, 6.1 of Appendix 5 of National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2014, as ultra vires of Art. 30(1) of the Constitution of India, illegal and arbitrary, in respect of



the Unaided Member Teacher Education Institutions of the petitioner, conducting B.E., and M.Ed., programmes, as listed in Annexure to the petition.

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For Petitioner : M/s.A.Arulmary

For Respondents : Mr.J.Harikrishna
Additional Senior Counsel
For NCTE [For R1 and R2]

Mr. U.Venkatesan
[For R3]

O R D E R

The relief sought for in the present writ petition had already been considered by the Hon'ble Division Bench of this Court in a batch of writ petitions in W.P.Nos.999 of 2015 etc., and an order was passed on 23.02.2016, which reads as follows:

"5.We are, thus, of the view that since the challenge to the statutory regulations is not pressed, but what is prayed is a re-visiting of those provisions, in view of the exercise already being undertaken by the respondents, as also in view of the submission which has been made on behalf of the learned counsel for the respondents, a reasonable view may be taken in this behalf and as stated, sufficient 5 time would be given to implement the same.

6.We may also note that a petition is filed by certain students. In this behalf, really speaking, the students cannot have much of a role, but the only aspect which has been emphasized before us is that when the courses sought to be increased from one year to two years, at least, the time period for completion of the course may be re-visited from the present three years specified. This is in the context of the illustrations given, i.e., the M.B.B.S. 5 years' course has the outer limit of 9 years, the B.E. Course of 4 years has the outer limit of 7 years and the M.Phil. course of 8 semesters has the outer limit of 12 semesters. In this context, it is submitted that the outer limit should be four years rather than three years. This representation again can be examined by the Committee keeping in mind the outer limits of other courses.



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7.The respondents, thus, may carry out the exercise as early as feasible. The learned counsel for the respondents states that no coercive steps would be taken to implement the rigors of the aforesaid provisions till a final decision is taken.

8.All the writ petitions are, thus, closed in the aforesaid terms. No costs. Consequently, connected miscellaneous petitions also stand closed".

2. It is brought to the notice of this Court that the Review Application No.133 of 2017 filed in W.P.No.999 of 2015 was also dismissed by the Hon'ble Division Bench on 28.07.2017.

3. This being the factum, the writ petition on hand stands closed, in terms of the order dated 23.02.2016 passed in W.P.No.999 of 2015. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Member Secretary
National Council for Teacher Education,
Hans Bhawan, Wing II,
1, Bahadur Shah Zafer Marg,
New Delhi -110 002
2. The Regional Director,
Southern Regional Committee,
The National Council for Teacher Education,
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Opp. to Nation Law School,
Nagarabhavi, Bangalore -560 072.
3. The Registrar,
Tamil Nadu Teacher Education University.
Lady Wellington College Campus,
Kamarajar Salai, Chennai-600 005



+2ccs to M/s.Father Xavier Associates, Advocate, S.R.No.60069
+1cc to Mr. U.Venkatesan, Advocate, S.R.No.60081
+1cc to Mr.J.Harikrishna, Advocate, S.R.No.59932

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NSK 06/12/2021