



W.P.Nos.15182 & 15187 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 14.12.2022

CORAM

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

W.P.Nos.15182 & 15187 of 2022

1. Sathyasai B.Ed.College,
No.7, Rajaji Street Kamaraj Nagar,
Avadi, Chennai, Tamil Nadu – 600 071,
Represented by its Chairman P.Sundararajan.

2. Dr.Rajalakshmi College of Education,
Dr.Rajalakshmi Educational Trust,
Palavedu Village, Mitanamalli Post,
Avadi, Chennai 600 055.
Represented by its Chairman P.Sundararajan

...Petitioners

Vs.

1.The Registrar,
Tamil Nadu Teacher Education University,
Gangaimman Koil Street,
Karapakkam, Chennai – 600 097.

2.Southern Regional Committee,
National Council for Teachers Education,
Plot No.G-7, Sector 10,
Dwaraka, New Delhi – 110 075.

3.Deputy Secretary (Appeal)
NCTE Appellate Authority,
National Council for Teachers Education,
G-7, Sector 10, Dwaraka, New Delhi – 110 075 ...Respondents in both W.Ps.

Prayer in W.P.No.15182 of 2022: This Writ Petition has been filed under Article 226 of the Constitution of India to issue writ of certiorarified mandamus, calling for the records pertaining to Letter No.TNTEU/R/Withdrawn



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Affiliation/2022/01032 from the 1st Respondent and to quash the order of withdrawal of Affiliation dated 27th April 2022 and to direct the 2nd and 3rd respondent to review the order of withdrawal of recognition dated 26.05.2022 by providing another opportunity to the petitioner and to consequently permit the petitioner to intake admission for B.Ed, M.Ed and B.Sc.B.Ed course in the year 2022-23.

Prayer in W.P.No.15187 of 2022: This Writ Petition has been filed under Article 226 of the Constitution of India to issue writ of certiorarified mandamus, calling for the records pertaining to Letter No.TNTEU/R/CC10227/Syn.Mar-Item No.28/Withdrawal/2022/0889 dated 29.03.2022 from the 1st Respondent and to quash the order of withdrawal of Affiliation dated 29th April 2022 and to direct the 2nd and 3rd respondent to review the order of withdrawal of recognition dated 26.05.2022 by providing another opportunity to the petitioner and to consequently permit the petitioner to intake admission for B.Ed, course in the year 2022-23.

In both W.Ps.

For Petitioners : Mr.K.Selvaraj for Mr.R.Kannan

For Respondents : Ms.S.Bhuvaneswari

Standing Counsel for R1.

: Mr.R.Thirunavakkarusu

Standing Counsel for R2 & R3.

COMMON ORDER

Heard arguments advanced by the learned counsels in both the writ petitions. It would only be appropriate that a common order is passed in both the writ petitions.

2. Both the writ petitioners have approached this Court by filing writs in the nature of certiorarified mandamus seeking interference with an order passed by the 3rd respondent/Deputy Secretary (Appeal) NCTE Appellate Authority dated 26.05.2022.

3. A show cause notice had been earlier issued by the second



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respondent/Southern Regional Committee, National Council for Teachers

Education, New Delhi to the two petitioners calling into question the continuation of the petitioners' colleges and pointing out that the building plan of the petitioners' colleges have not been approved by the appropriate authorities and that the petitioners' colleges have also not uploaded their website requisite details. The petitioners had replied to the show cause notice and according to the learned counsel had also given necessary explanations for the issues raised.

3. However, in their meeting dated 13.12.2021 and 14.12.2021 the second respondent had withdrawn the recognition granted to the petitioners. The petitioners had a remedy to file a regular appeal before the 3rd respondent. It is complained by the learned counsel for the petitioners, Mr.K.Selvaraj that the hearing in the appeals were conducted on line and the necessary documents could not be furnished at the time of such on line hearing.

4. Questioning such orders, the writ petitions had been filed.

5. Let me not enter into a discussion whether the petitioners have the necessary building plan and whether they had uploaded in their website requisite details of the colleges. I would rather confine myself to direct to refer the matter back to the 3rd respondent who may hear the appeals afresh. The representatives of the petitioners may be physically present before the 3rd respondent and urge whatever points they want to urge. Let the Appropriate Authority pass any order



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deemed fit on the basis of the documents presented and on the basis of the grounds raised.

6. The 3rd respondent may receive the appeals and issue notice to the petitioners. The petitioners may appear without fail and participate in the proceedings.

7. Learned counsel for the 2nd and 3rd respondents had raised objections that even though the appeals were heard on-line there were no denial of opportunity to the petitioners. The effect of a physical hearing stands apart from any hearing conducted through on-line. I am confident that the 3rd respondent would appreciate that fact.

8. These writ petitions stands disposed with the above observations.
No costs.

14.12.2022

Index:Yes/No
Speaking/Non speaking order
nst



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To,

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- 2.Southern Regional Committee,
National Council for Teachers Education,
Plot No.G-7, Sector 10,
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C.V. KARTHIKEYAN , J.



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