



W.P.No.25800 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.25800 of 2022

Usha Latchumanan College of Education,
Rep. By its Correspondent,
Vazhapadiyar Nagar,
Thirukkknur, Pondicherry – 605 501.

... Petitioner

Vs

1.The Registrar,
Pondicherry University,
R.V. Nagar,
Kalapet, Puducherry.

2.The Dean CDC (AW),
Pondicherry University,
R.V. Nagar,
Kalapet, Puducherry.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents herein to consider the petitioner's college of Education to run 5 UG Courses for Arts and Science in the petitioner's college on shift basis (between 1.30 pm to 5.30 pm) based on the NOC issued by the Government of Puducherry dated 17.02.2021 for affiliation for the academic year 2022-2023 based on the representations of the petitioner dated 18.08.2022 and 26.08.2022.



W.P.No.25800 of 2022

For Petitioner : Ms.R.T.Shyamala

For Respondents : Mrs.A.V.Bharathi
Standing Counsel

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents herein to consider the petitioner's college of Education to run 5 UG Courses for Arts and Science in the petitioner's college on shift basis (between 1.30 pm to 5.30 pm) based on the NOC issued by the Government of Puducherry dated 17.02.2021 for affiliation for the academic year 2022-2023 based on the representations of the petitioner dated 18.08.2022 and 26.08.2022.

2. The petitioner is a recognised College of Education duly recognised or approved by the National Council for Teacher Education (in short 'NCTE') already runs a B.Ed. Course. However in the said College itself, the petitioner wanted to start some U.G. courses viz., B.A. (Tamil), B.A.(English), B.Sc.(Maths), B.Com. and B.C.A. Accordingly the petitioner Institution had obtained a No Objection Certificate dated 17.02.2021 from the Puducherry Government and on the strength of NOC, the petitioner had applied to the respondent University for affiliation and in



W.P.No.25800 of 2022

order to consider the said request made by the petitioner to the respondent University to consider application for affiliation for the proposed U.G. Courses to be started in the existing petitioner's B.Ed. College, the petitioner has moved the present writ petition.

3. Reiterating the aforesaid, Ms.R.T.Shyamala, learned counsel appearing for the petitioner would seek indulgence of this Court to issue a direction by way of mandamus.

4. Heard Mrs.A.V.Bharathi, learned Standing Counsel appearing for the respondent University.

5. It is an admitted fact that the petitioner College is a College of Education where the course already conducted is a B.Ed. course which has already been recognised by the National Council for Teacher Education i.e. NCTE and therefore such College of Education after getting recognition obtained affiliation from the respondent University only as a Stand-alone institution to run the course of B.Ed. If at all any allied courses with regard to Teacher Education they want to start, we can understand



W.P.No.25800 of 2022

that kind of approval can be obtained from the NCTE and based on which, affiliation can be sought for only for the related/allied courses of education.

However in the present case, the petitioner wanted to start 5 new U.G. Courses as stated supra for which even though the State Government of Puducherry had given NOC sometime in 2021, this Court feels that the College which is mainly meant for running B.Ed. course i.e. College of Education being a standalone institution cannot be permitted to run any other courses as that kind of additional courses not related to education. Those kind of permission would not be given by the National Council for Teacher Education. Therefore the application now made by the petitioner to the respondent University is not feasible for compliance. Therefore this Court feels that, no mandamus can be issued to the respondent University, accordingly this writ petition fails, therefore it is liable to be dismissed.

6. However, it is open to the petitioner to make a fresh application to the State Government of Puducherry for getting approval to start a Stand-alone Arts and Science College where the 5 courses for which NOC now granted by the State Government can be started and if any such Stand-alone institution for U.G. Degree courses as desired by the petitioner



W.P.No.25800 of 2022

Management is started, it is open to the petitioner to approach the respondent University for getting affiliation of such courses. Without resorting this method, the petitioner cannot seek for any direction from this Court to be issued to the respondent University to consider the application of the petitioner for granting affiliation to the proposed U.G. Courses. In that view of the matter, with the aforesaid observation, this Writ Petition is dismissed. No costs.

27.09.2022

Index: Yes/No

Speaking Order : Yes/No

Sgl

To

- 1.The Registrar,
Pondicherry University,
R.V. Nagar,
Kalapet, Puducherry.
- 2.The Dean CDC (AW),
Pondicherry University,
R.V. Nagar,
Kalapet, Puducherry.



WEB COPY



W.P.No.25800 of 2022

R. SURESH KUMAR, J.

Sgl

W.P.No.25800 of 2022

27.09.2022