



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.28208 of 2021 and
WMP.No.29816 of 2021

Billgates College of Education,
Run by Sri Venkateswara Educational Trust,
Rep. by its Chairman and Correspondent,
Gengavaram,
Kanakankuppam P.O., Gingee Taluk,
Villupuram.

...Petitioner

Vs

1. National Council for Teacher Education,
Rep. by its Under Secretary,
Southern Regional Committee,
G-7, Dwarka Sector-10,
New Delhi-110 075.
2. Tamil Nadu Teachers Education University,
Rep. by its Registrar,
Gangaianman Koil Street,
Karapakkam,
Chennai-600 097.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorari, calling for the records of the First Respondent's impugned proceeding i.e., minutes of 404th Meeting of the SRC held on 16th & 17th November, 2021 relating to File No.- APS08816. Course-B.Ed., and quash the same.

For Petitioner : Mr.S.Udayakumar

For Respondents : Mr.R.Thirunavukarasu (for R1)

O R D E R

The petitioner challenges proceedings of the National Council for Teacher Education dated 16th & 17th of November 2021. The proceedings are adverse to the petitioner herein specifically on the ground that there has been no response by the petitioner to the final show cause notice issued on 11.03.2021. Thus, the committee has proceeded to withdraw the recognition granted to the petitioner institution for conduct of B.Ed. programme with effect from academic year 2022-2023 onwards, in terms of Clause-17(1) of the NCTE Act, 1993.



2. There appear to have been two show cause notices issued to the petitioner institution dated 13.03.2019 and 11.03.2021 and responses have been filed in regard to both, on 23.04.2019 and 25.03.2021 respectively. The petitioner has placed on record the postal track evidencing receipt of the replies by the respondents. The conclusion of the committee in the impugned order to the effect that the petitioner has been non-compliant to the show cause notices, is thus factually incorrect and the order is thus, set aside.

3. Let notice be issued to the petitioner calling upon it to appear before them and final orders passed after hearing the petitioner and taking note of their averments as well as replies, within a period of six (6) weeks from the date of personal hearing.

4. Mr. R. Thirunavukarasu, learned counsel appearing for the first respondent objects to the relief sought though no counter has been filed in the matter and no specific arguments are raised in regard to the averments in the writ petition.

5. This writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Under Secretary,
National Council for Teacher Education,
The Under Secretary,
Southern Regional Committee,
G-7, Dwarka Sector-10,
New Delhi-110 075.
2. The Registrar,
Tamil Nadu Teachers Education University,
Gangaianman Koil Street,
Karapakkam,
Chennai-600 097.

+1cc to Mr. S. Udayakumar, Advocate, S.R.No.7846

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AK-II (CO)