



W.P.(MD)No.255 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2022

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.255 of 2022**

**and**

**W.M.P(MD)No.192 of 2022**

D.V.D.Teacher Training Institute,  
Represented by its Secretary,  
Kottar – 629 002,  
Nagercoil,  
Kanyakumari District.

... Petitioner

Vs

- 1.The Regional Director,  
National Council for Teacher Education,  
Southern Regional Committee,  
G-7 Sector – 10 Dwaraka  
Delhi – 110075.
- 2.The Director,  
State Council of Educational Research and Training,  
College Road,  
DPI Campus,  
Chennai – 600 006.
- 3.The Principal,  
District Institute of Teacher Education Training,  
Theroor @ Kulasekaranputhur,  
Kanyakumari District.

... Respondents



**W.P.(MD)No.255 of 2022**

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 2 and 3 herein to approve the admission of all the 17 eligible students admitted in the petitioner-institute for the academic year 2021-2022 (names given in the annexure) and consequently permit them to take part in the 1st and 2nd year Diploma in Teacher Education (DTed) Course examinations in the light of the recognition order granted by the first respondent herein.

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.V.Om Prakash  
Government Advocate for R.2 & R.3

### **ORDER**

Heard the learned counsel on either side.

2. The petitioner's Institution was started wayback in the year 1953-54. Following the enforcement of the National Council for Teacher Education Act (NCTE), 1993, the petitioner obtained recognition from NCTE. Following the promulgation of G.O(Ms)No.87 School Education Department dated 28.05.2019, the second respondent issued the communication bearing Na.Ka.No.1731/E1/2019 dated 28.09.2020 informing the petitioner that the admission of students for the academic year 2020-21 will not be approved. By the aforesaid Government Order, the Government made it clear that unless the Teacher Training Institutes have an annual intake of 30% of the sanctioned



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intake, approval will be withdrawn. Aggrieved by the said communication, the petitioner filed W.P(MD)No.14749 of 2020. The said writ petition was dismissed. Challenging the same, the petitioner filed W.A(MD)No.571 of 2021. An interim order was granted on 17.04.2021.

3. The case on hand pertains to the next academic year.

4. This year, the petitioner's Institution could admit only 17 students as against the sanctioned intake of 40 students. According to the petitioner's counsel, this fulfills the ceiling criteria imposed by the Government under the aforesaid Government Order I do not want to go into the said issue. The fact remains that as on date, the petitioner is enjoying an interim order granted by the Hon'ble Division Bench of this Court. The said interim order is yet to be vacated. Therefore, the respondents 2 and 3 are bound to approve the admission of all the 17 students admitted in the petitioner's institution for the academic year 2021-22. This writ petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

**12.07.2022**

Index : Yes / No  
Internet : Yes/ No  
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**G.R.SWAMINATHAN, J.**

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To

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