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W.P.(MD)NO.3703 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3703 of 2022 and

B.Sivakumar,
Chairman,
J.K. College of Education,
J.K. Nagar, NH-7, Madurai Road,
Begampur Post-624001,
Dindigul District.

... Petitioner

Vs.

1. The Regional Director,
National Council for Teacher Education,
No.G-7, Sector-10, (Near Sector-10 Metro Station),
Dwarka, New Delhi-110 075.

2. The Registrar,
The Tamil Nadu Teachers Education University,
Gangaiamman Kovil Street,
Karapakkam,
Chennai-600 097.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent University to permit the students of the petitioner's institution, namely, J.K. College of Education, Begampur, Dindigul District who were admitted in B.Ed. and M.Ed., degree course as per orders of the 2nd respondent made in their proceedings No.TNTEU/R/Cont.Affln./2019/2027 dated 22.10.2019 for the academic years 2019-2020 to 2021-2022,



to write the forthcoming B.Ed. and M.Ed. Degree examinations scheduled to be commenced from 28.02.2022 and to declare their results.

For Petitioner : Mr.M. Saravana Kumar

For R-2 : Mr.F. Deepak,
Standing Counsel.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing counsel appearing for the University.

2. J.K.College of Education, Dindigul, is imparting teacher education. Its recognition by the National Council for Teacher Education was withdrawn on 30.07.2021. As a direct consequence, the second respondent University withdrew its affiliation on 11.08.2021. The petitioner filed an appeal before the appellate body and the appellate body remanded the matter on 26.11.2021. Thereafter, the National Council for Teacher Education passed an order dated 27.12.2021 continuing the recognition originally granted.



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3. The petitioner herein however admitted students for the academic year 2021-22. The writ petition has been filed for directing the second respondent University to permit the students to write the forthcoming B.Ed., and M.Ed., degree examinations.

4. The learned Standing counsel appearing for the second respondent University pointed out that the students had been admitted by the petitioner college when it had neither affiliation nor recognition. He stressed the fact that the continuation of recognition was issued only on 27.12.2021, after the students were admitted. He relied on the order dated **22.06.2022** made in ***W.P.(MD)No.3775 of 2022 (RDB College of Education V. The Registrar Tamil Nadu Teachers Education University, Chennai)*** wherein a learned Judge of this Court had dismissed the writ petition on similar factual matrix.

5. Though I am more than impressed by the objection raised by the learned Standing counsel appearing for the



respondents, I am inclined to follow the order dated **06.07.2022** made in ***W.P.(MD)No.4491 of 2022*** etc. batch ***(Sri Kalaimagal College of Education V. Tamil Nadu Teacher Education University, (TNTEU) represented by its Registrar, Chennai)***. A learned Judge of this Court in the decision had held as follows:-

“ 34. In fine, and in conclusion, there is a direction to R1 to convene a meeting of the Syndicate within a period of four (4) weeks from today. The pending applications of the 18 colleges, whose appeals are stated to have been allowed, shall be taken up and a decision taken as to whether their affiliation is to be ratified or otherwise and if so, from which academic year.

35. To be clear, only such applications that have been received in time from the petitioner colleges seeking re-affiliation/continuance of affiliation, shall be considered, and strictly in line with the applicable Rules and Regulations, prescribed parameters and decisions taken in accordance with law. ”



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6. Following the same, I direct the second respondent University to place the matter before the syndicate in its next meeting. The syndicate will take a call in the matter.

7. This writ petition stands disposed of accordingly.

No costs.

11.07.2022

Index : Yes / No

Internet : Yes/ No

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G.R.SWAMINATHAN,J.

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2. The Registrar,
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