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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15289 of 2022
and
W.M.P.(MD)No.10945 of 2022

RDB College of Education
Rep. by its Director Mr.K.Karalmarks,
No.328, Salyamangalam Main Road,
Papanasam-614 205,
Thanjavur District. ... Petitioner

vs.

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

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondent to permit the 100 students (students list enclosed in annexure separately) to write their second semester examination of B.Ed for the academic year 2021-2022 to be held from 15.07.2022 onwards or any other subsequent dates and publish the result.

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For Petitioner : Mr.C.Robert Burce
For Respondent : Mr.F.Deepak
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The writ petitioner is an institution imparting teacher education. It did enjoy recognition from NCTE as well as affiliation from the respondent University. NCTE withdrew recognition on 27.08.2021. As a consequence, the respondent University also withdrew their affiliation on 02.09.2021. The petitioner filed an appeal before the appellate body. The appellate body remanded the matter on 15.12.2021. Thereafter, NCTE issued the order on 02.02.2022 for continuing recognition originally granted. The question that arises for consideration in this case is whether the students admitted by the petitioner herein for the academic year 2021-2022 can be allowed to write the second semester examinations that are scheduled to be held from 15.07.2022 onwards.

3. The issue raised in this writ petition is no longer *res integra*. A learned Judge of this Court in W.P.(MD)No.3775 of 2022, dated 22.06.2022 held that if the students had been admitted when the Institution did not enjoy NCTE recognition and if the order of NCTE continuing recognition was granted only after

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the cut-off date ie., 13.12.2021, then, relief cannot be granted. It was specifically held that the admission of the students after the withdrawal of the recognition and cancellation of the affiliation is bad in the eye of law and the question of issuing a mandamus directing the University to approve the admission or publish the results would not arise.

4. Extending the logic, the question of directing the University to permit the students concerned to write the second semester examination also would not arise. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

14.07.2022

rmi

NOTE:Issue Order copy on 14.07.2022

To

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

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G.R.SWAMINATHAN, J.

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