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W.P.(MD)NO.21136 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.21136 of 2022 and
W.M.P.(MD)Nos.15344 & 15345 of 2022

Vestley College of Education,
Rep. by its Secretary,
Koothdivayal, Silathur Village,
Kuunakkurumbi,
Aranthangi, Pudukottai District.

... Petitioner

Vs.

1. The Member Secretary,
National Council for Teacher Education,
G-7, Sector-10, Near Metro Station,
Dwarka, Delhi – 110 075.

2. Tamil Nadu Teacher Education University,
(TNTEU) Rep. by its Registrar,
Gangaiamman Koil Street,
Karapakkam,
Chennai – 600 097.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 2nd respondent in his proceedings in No.TNTEU/R/Affln/Inspn./2022/03766 dated 30.8.2022 and quash the same and direct the 1st respondent to open their website to the petitioner to submit Performance Appraisal Report (PAR).



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For Petitioner : Mr.V.Panneer Selvam

For R-1 : Mr.Su.Srinivasan,
Standing Counsel.

For R-2 : Mr.F.Deepak

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ORDER

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

2. The second respondent University has issued the impugned communication to the petitioner stating that the inspection will be held on tomorrow. Challenging the same, this writ petition has been filed.

3. The learned counsel appearing for the writ petitioner took me through the averments set out in the affidavit filed in support of this writ petition. He pointedly



contended that the second respondent conducted an inspection in the petitioner's institution only very recently and that there is no justification whatsoever for holding one more inspection. He also stated that the time granted to the petitioner to make arrangements is very short. Tomorrow being a holiday, some of the faculties may not be available. He further pleaded quite a few other difficulties.

4. Be that as it may, the learned counsel appearing for the second respondent states that the second respondent has not initiated the move to inspect the petitioner's institution. They received a communication from NCTE on 16.08.2022 calling upon them to conduct an inspection of those institutions who have failed to submit the Performance Appraisal Report.

5. The petitioner comes under the said category and that is why complying with the NCTE's directions, the second respondent has proposed to conduct inspection. When the primary order has not been put to challenge, the consequential notice proposing to conduct inspection cannot



be challenged. Leaving open the writ petitioner's other rights and remedies, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

02.09.2022

Index : Yes / No

Internet : Yes/ No

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To:

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5

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G.R.SWAMINATHAN,J.

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