



W.P.No.9203 of 2023

M. DHANDAPANI, J.

This petition has been listed under the caption “For being mentioned” at the instance of the petitioner.

2. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that vide order dated 28.03.2023, the 3rd respondent was directed to receive the Examination fee from the petitioner Institution, however, no mention has been made in the order with regard to receiving the fee and uploading of students list in the portal. Therefore, para 7 of the order may be modified and fresh order copies may be issued.

3. In view of the above submission, para 7 of the order dated 28.03.2023 shall stand modified as under:

*“ In view of the above, this Court directs the third respondent to receive the Semester Examination fee **along with penalty and upload the list of students in portal** from the petitioner institution, without prejudice to the petitioner's right and subject to the outcome of the appeal pending before the first respondent in respect of M.Ed. Course and W.P.No.9637 of 2023 pending before this Court in respect of B.Ed Course.*



M. DHANDAPANI, J.

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5. In view of the above, Registry is directed to make necessary modifications in the aforesaid order and issue fresh order copy to the parties.

06.04.2023

NHS

Note to Office:

Issue order copy on 06.04.2023

W.P.No.9203 of 2023



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9203 of 2023

And

W.M.P.No.9323 of 2023

Arcot Sri Mahalakshmi Women's College of Education,
Arani Main Road, Vellapakkam,
Vellore District,
Represented by its Secretary,
Mr.AL.Ravi

... Petitioner

Vs.

1.National Council for Teacher Education Appellate Authority,
G – 7, Section – 10, Dwaraka,
New Delhi – 110 075.

2.National Council for Teacher Education,
Southern Regional Committee,
G – 7, Section – 10, Dwaraka,
New Delhi – 110 075.

3.The Registrar,
Tamil Nadu Teachers Education University,
Gangaianman Koil Street,
Karapakkam,
Chennai – 600 097.

Respondents

...

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent herein to open the portal for petitioner institution to upload the students details and grant continuous affiliation and approval of admission of 100 students in B.Ed., and 50 students in M.Ed., course admitted in the petitioner institution for the academic session 2022 – 2023 and open the portal for remittance of semester examination fee.



For Petitioner : Mr.G.Sankaran
Senior Counsel
for Mr.J.Jayendrakrishnan
For Respondents : Mr.J.Harikrishna for R1 and R2
Standing Counsel
M/s.S.Buvaneswari for R3

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the third respondent to open the portal for petitioner institution to upload the students details and grant continuous affiliation and approval of admission of 100 students in B.Ed., and 50 students in M.Ed., course admitted in the petitioner institution for the academic session 2022 – 2023 and open the portal for remittance of semester examination fee.

2.The case of the petitioner is that the petitioner institution was established and granted recognition to run B.Ed. Course from the academic session 2005-2006 and M.Ed. Course from the year 2006-2007. The second respondent issued a show cause notice dated 30.07.2019 calling the petitioner institution to submit certain documents for further processing of recognition and the same was complied with by the petitioner, however, the second respondent issued final show cause notice dated 21.01.2020 and thereafter vide communication dated 02.09.2021 passed an order withdrawing the recognition granted to the petitioner institution.

3.The further case of the petitioner is that aggrieved by the communication dated 02.09.2021, the petitioner preferred appeal before



the first respondent and the said appeal was rejected. Challenging the same, the petitioner filed W.P.No.33456 of 2022 before this Court and this Court vide order dated 02.01.2023, directed the petitioner institution to file a fresh appeal under Section 18 of the Act. In compliance of the order of this Court dated 02.01.2023, the petitioner preferred fresh appeal before the first respondent. Whiles, the third respondent vide Circular dated 20.03.2023 announced that the last date for remittance of Semester Examination fee without penalty is on 24.03.2023 and with penalty is on 29.03.2023. Since appeal is pending before the first respondent, the third respondent has not included petitioner institution in the online portal enabling for remittance of Semester Examination fee.

4.The further case of the petitioner is that while the appeal was pending before the first respondent, the name of the petitioner institution was removed from the list of recognized institutions and hence the petitioner filed W.P.(C) Nos.12956 and 12966 of 2021 before the High Court of Delhi and vide order dated 17.11.2021 the said writ petitions were allowed by the High Court of Delhi and in compliance of the same, the petitioner institution was allowed to continue the course on regular basis and admission for the academic session 2022 – 2023 with annual intake of 100 students in B.Ed. Programme and 50 students in M.Ed. Programme. Since the petitioner institution was denied access into the online portal for remittance of examination fee, the petitioner

5.The learned counsel appearing for the petitioner submitted



that in respect of M.Ed. Course appeal is pending before the first respondent and in respect of B.Ed. Course writ petition in W.P.No.9637 of 2023 filed by the petitioner is pending before this Court. Since there are 100 students in B.Ed. Course and 50 students in M.Ed. Course, this Court may issue direction to the third respondent to receive the Semester Examination fee subject to the outcome of the appeal pending before the first respondent in respect of M.Ed. Course and W.P.No.9637 of 2023 pending before this Court in respect of B.Ed. Course.

6.The learned counsel appearing for the third respondent raise no serious objection.

7.In view of the above, this Court directs the third respondent to receive the Semester Examination fee from the petitioner institution, without prejudice to the petitioner's rights and subject to the outcome of the appeal pending before the first respondent in respect of M.Ed. Course and W.P.No.9637 of 2023 pending before this Court in respect of B.Ed. Course.

8.With the above observations, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

28.03.2023

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M.DHANDAPANI,J.

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To

- 1.National Council for Teacher Education Appellate Authority,
G – 7, Section – 10, Dwaraka,
New Delhi – 110 075.
- 2.National Council for Teacher Education,
Southern Regional Committee,
G – 7, Section – 10, Dwaraka,
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- 3.The Registrar,
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And
W.M.P.No.9323 of 2023

28.03.2023