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W.P.No.9637 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9637 of 2023

And

W.M.P.No.9692 of 2023

Arcot Sri Mahalakshmi Women's College of Education,
Rep. by its Secretary,
A.L.Ravi

... Petitioner

Vs.

1.National Council For Teacher Education Appellate Authority,
Deputy Secretary,
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.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the first respondent herein in File No.89-352/E-234175/2021 Appeal/3rd Meeting, 2022 APPLSRC202114181 dated 18.04.2022 and quash the same.



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For Petitioner : Mr.G.Sankaran
Senior Counsel
for M/s.J.Jayendrakrishnan
For Respondents : Mr.J.Harikrishna
Additional Standing Counsel (NCTE)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to call for the records of the first respondent in File No.89-352/E-234175/2021 Appeal/3rd Meeting, 2022 APPLSRC202114181 dated 18.04.2022 and to quash the same.

2.The petitioner, Arcot Mahalakshmi Womens College of Education at Vellore District had filed the said appeal under Section 18 of the Act, against an order dated 02.09.2021 passed by the second respondent, by which order the recognition for conducting B.Ed. course was withdrawn. The reasons were that there was a change in the management, which was informed by the Southern Region Committee and that the said change in the management was done without obtaining prior approval from the NCTE and also that the faculty list was not submitted during the hearing.

3.The learned Senior Counsel for the petitioner made a fervent



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statement stating that the appeal was heard through online and there were some difficulties faced by the petitioner in producing documents. It is stated that however, an order was passed, which requires reconsideration.

4.The learned Additional Standing Counsel who had taken notice on behalf of the respondents, stated that proper opportunity had been granted to the petitioner herein.

5.However, this Court not enter into a detailed discussion on all those aspects, since it is only a question of change in management between the mother and son, so far as the trust is concerned and also that the list of faculty members was not submitted. With respect to the list of faculty members, the learned Senior Counsel stated that subsequently necessary approval had been obtained relating to faculty and that those documents will have to be placed before the first respondent.

6.This Court leave it to the wisdom of the first respondent to consider all these aspects once again. The order under challenge in the writ petition is set aside. The petitioner is directed to submit a fresh



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appeal under Section 18 of the Act. When it is filed, the respondents may provide an opportunity of personal hearing to the petitioner and opportunity to produce documents and also answer those documents in the course of the order of the first respondent. The said proceedings may be completed within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observation, this writ petition is allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

18.04.2023

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Note: Issue order copy on 19.04.2023.
Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

To

1. National Council For Teacher Education Appellate Authority,
Deputy Secretary,
G-7, Section – 10,
Dwaraka,
New Delhi – 110 075.
2. National Council For Teacher Education,
Southern Regional Committee,
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M.DHANDAPANI,J.
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