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W.P.No.24850 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.24850 of 2023
and W.M.P.Nos.24260 and 24262 of 2023

K.N.Subbaraj Memorial College of Education
Kadalaiyur Road,
Ettayapuram-628 902
Thoothukuti District
Rep. by its Secreatary
K.N.Subbaraj

... Petitioner

Vs.

1.The Regional Director
National Council for Teacher Education
Southern Regional Committee
Sector-10, Dwarka
New Delhi-116075

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

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Certiorari, calling for the records pertaining to



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the impugned order F.No.SRC/NCTE/APSO5071/B.Ed./TN/2023/ 142939 dated 28.07.2023 issued by the first respondent and quash the same.

For Petitioner : Mr.V.Raghavachai
Senior Counsel
Assisted by Mr.S.Bharathi Rajan

For Respondents : M/s.S.Bhuvaneswari
for R2

Mr.J.Harikrishna
Additional Standing Counsel for R1

ORDER

The issue involved in this case is that the petitioner College of Education is facing an allegation that there are certain defects/deficiencies, and that the second respondent, the Registrar of Tamil Nadu Teachers Education University issued a notice dated 26.07.2023, providing the petitioner six months time to cure the defects or the short-comings indicated therein. In the meantime, the first respondent had issued a show cause notice dated 28.07.2023 to the petitioner College, again requiring it to show cause within a period of 15 days.



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2.Mr.V.Raghavachari, learned Senior Counsel appearing for the petitioner

College submitted that while the second respondent had granted six months time to rectify the defects, which expires by 26.01.2024, the first respondent has issued a show cause notice almost for identical purpose to respond to it within a period of 15 days, with a threat of revoking the approval. Further, that the show cause notice issued by the first respondent is incompetent in law, but at any rate, it overlaps with the direction given by the second respondent on the same subject.

3.Mr.J.Harikrishna, learned Additional Standing Counsel takes notice for the first respondent, and M/s.S.Buvaneshwari, learned Standing Counsel takes notice for the second respondent.

4.Heard the learned counsel for the respondents 1 and 2.

5.Admittedly, the proceedings of the first respondent has created a situation even as the University is pursuing the matter. When the second respondent has set the clock for curing certain defects or short comings as indicated by



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the University, the first respondent has come out with its impugned notice.

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6.Mr.J.Harikrishna, the learned Additional Standing Counsel for the first respondent submitted that despite several correspondences made by the first respondent to the second respondent, it evoked no response. It is in this circumstance, the first respondent was constrained to issue the show cause notice.

7.This Court expects greater responsibility from the second respondent in situation such as this as it unnecessarily bring litigations which could have been easily avoided, if only the second respondent has responded to the request of the first respondent.

8.This Court now directs the petitioner to comply with all the deficiencies of short coming as indicated in the show cause notice of the second respondent dated 26.07.2023 within a period of six months as stipulated therein. Till such time, the first respondent is directed to take a back seat, and it is further directed not to interfere with the on going process of rectification by the



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petitioner. The second respondent is at liberty to initiate any proceeding after the expiry of six months period stipulated in the show cause notice of the second respondent.

9.The Writ Petition stands disposed of accordingly with the above directions.

No cost. Consequently, the connected miscellaneous petitions are closed.

29.08.2023
(5/15)

Anu

Index : Yes / No

Neutral citation : yes/no

Note to office:Issue order copy on 29.08.2023

To

1.The Regional Director
National Council for Teacher Education
Southern Regional Committee
Sector-10, Dwarka
New Delhi-110075

2.The Registrar,
Tamil Nadu Teachers Education University
Kangaiamman Koil Street,
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N.SESHASAYEE, J.
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