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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.33456 of 2022

and

W.M.P.Nos.32895 & 32896 of 2022

Arcot Sri Mahalakshmi Women's College of Education,
Rep. By its Secretary,
A.L.Ravi,
Arani Main Road,
Vellapakkam,
Vellore District.

.. Petitioner

Vs.

1.National Council For Teacher Education,
Represented by its Regional Director,
Southern Regional Committee,
G-7, Section – 10, (Near Sector – 10 Metro Station)
Dwaraka,
New Delhi - 110075.

2.The Deputy Secretary (Appeal),
NCTE Appellate Authority,
National Council for Teacher Education,
G-7, Section – 10, (Near Sector – 10 Metro Station)
Dwaraka,
New Delhi - 110075.



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records and quash the present impugned order of the respondent vide File No.89-351/E-234168/2021 Appeal / 3rd Meeting, 2022 APPLSRC 202114182 dated 18.04.2022.

For Petitioner

.. Mr.K.Kannan

For Respondents

.. Mr.R.Thirunavukarasu

ORDER

This Writ Petition has been filed in the nature of Certiorari seeking interference with an order dated 18.04.2022 passed by the 2nd respondent / NCTE, National Council for Teacher Education at New Delhi, which appeal was filed under Section 18 of the NCTE Act, 1993.

2.The petitioner, Arcot Mahalakshmi Womens College of Education at Arcot in Vellore District had filed the said appeal under Section 18 of the Act, against an order dated 02.09.2021 passed by the 1st respondent, by which order the recognition for conducting M.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 course was withdrawn.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 counsel for the petitioner made a fervent 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 Standing Counsel who had taken notice on behalf of the 1st and 2nd respondents, stated that proper opportunity had been granted to the petitioner herein.

5.However, let me 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 counsel stated that subsequently necessary approval had been obtained relating to faculty and that those documents will have to



be placed before the 2nd respondent.

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6. Let me leave it to the wisdom of the 2nd 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 appeal under Section 18 of the Act, on or before 31.01.2023. 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 2nd respondent. The said proceedings may be completed on or before 31.03.2023.

7. With the above observation, this Writ Petition is allowed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

02.01.2023

Index: Yes/No
Internet: Yes/No
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6

C.V.KARTHIKEYAN,J.

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