



W.P(MD)Nos.11257 and 11259 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.11257 and 11259 of 2015
and
M.P.(MD)Nos.1 and 1 of 2015

The Principal,
St.Xavier's College of Education (Autonomous),
Palayakmottai – 627 002,
Tirunelveli District.

... Petitioner in both W.Ps

Vs.

1.The National Council for Teacher Education,
Rep. by its Secretary,
Hans Bhawan, Wing II,
Bahadur Shahzafar Marg,
New Delhi – 110 002.

2.The Regional Director,
Southern Regional Committee,
National Council for Teacher Education,
Ist Floor, CST Building, HMT Post,
Bangalore – 560 031.

3.The TN Teacher Education University,
Lady Willington College Campus,
Kamaraj Salai, Chennai – 600 005,
Rep. by its Registrar.

... Respondents in both W.Ps



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Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order issued by the 2nd respondent NCTE Regional Director in SRC/NCTE/RD/2015/67036 and SRC/NCTE/RD/2015/66967 dated 28.05.2015 respectively to the effect that the order of Revised Provisional Recognition would not be given to the petitioner's college for conducting the M.Ed and B.Ed Degree programme (conducted over the past 65 years with recognition) respectively, and quash the same.

(In both W.Ps)

For Petitioner : Mr.K.Ragatheesh Kumar

For Respondents : No appearance

COMMON ORDER

Heard the learned counsel for the writ petitioner. There is no representation on the side of the respondents.

2.The writ petitioner is an educational institution running B.Ed / M.Ed programmes. It was granted affiliation by NCTE. Earlier, B.Ed and M.Ed were one year courses. In the year 2014, a revised regulations



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came into force and the programme duration got extended to two years.

The petitioner therefore had to submit consent affidavits for coming under the new regulation. The case of the petitioner is that even though such consent affidavits were submitted, vide communication dated 28.05.2015, NCTE, Southern Regional Committee declined to issue revised provisional recognition order. The same is put to challenge in these writ petitions.

3.The learned counsel for the petitioner states that the petitioner did submit such consent affidavits for both B.Ed and M.Ed programmes. He draws my attention to the proceedings dated 29.05.2015 and 30.04.2015 respectively issued by the second respondent wherein the submission of consent affidavits by the petitioner has been referred to in Paragraph No.2. In Paragraph No.13 of the affidavits filed in support of the writ petitions, the petitioner averred that the college submitted the consent affidavits in the format on 27.01.2015. This averment made by the petitioner had not been controverted by the respondents.



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4.In this view of the matter, the orders impugned in these writ petitions are quashed. The matter is remitted to the file of the second respondent to pass order afresh on merits and in accordance with law. Till such order is passed, the status quo as on date will continue. Before passing any order, the petitioner will be put on notice.

5.These writ petitions are allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

25.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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