



W.P.(MD)Nos. 2846 of 2015 and 23588 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.01.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD).Nos. 2846 of 2015 & 23588 of 2016

and

M.P.(MD).Nos.1 & 2 of 2015 and 16955 & 16956 of 2016

W.P.(MD).No.2846 of 2015

Consortium of Christian Minority

Higher Educational Institutions (CCMHE),

Rep by its General Secretary

Registered office at

Arul Anandar College (Autonomous)

Karumathur, Madurai 625 514.

... Petitioner

Vs.

1.The Union of India,

Rep by its Secretary,

Ministry of Human Resource & Development,

Shastri Bhavan, West Block,

New Delhi 110 011.

2.The National Council of Teacher Education,

Rep by its Secretary,

Hans Bhawan, Wing II,

Bahadur Shahzafar Marg,

New Delhi 110 002.



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3. The Regional Director,
Southern Regional Committee,
National Council for Teacher Education,
1st Floor, CSD Building, HMT Post,
Bangalore-560 031.

4. The State of Tamil Nadu,
Rep by its Secretary,
Department of Higher Education,
Fort St George, Chennai 600 009.

5. Tamilnadu Teacher Education University,
Lady Willington College Campus,
Kamaraj Salai, Chennai-600 005.
Rep by its Registrar.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration declaring the Regulations 4, 8(1), 8(4)(i), 8(4)(iii), 10(1) & 11 and the Clauses 2.1 & 3.1 of Appendix IV, 3.1 of Appendix V, 2.1 of Appendix VII & 2.1 of Appendix VIII of the National Council for Teacher Education (Recognition Norms & Procedure) Regulations, 2014 framed by the 2nd respondent NCTE and the consequential Letter issued by the 3rd respondent NCTE Regional Director in SRO/NCTE/RD/Regulation. 2014/2014-2015/60878 dated 31.12.2014 with the Explanatory Note attached therewith as ultra-Vires, unreasonable, unconstitutional, null and void and unenforceable as against the members of the petitioner-consortium (Member list annexed).



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For Petitioner :Mr.D.Muthuvel for
Mr.T.Cibi Chakraborty

For Respondents :Mr.R.Murugappan
Senior Panel Counsel for Central Government
for R1
:Mr.S.V.Srinivasan
Standing Counsel for R2 & R3
:Mr.S.Kameshwaran
Government Advocate for R4
:Mr.V.Venkatesan for R5

W.P.(MD).No.23588 of 2016

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Vs.

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Fort St George, Chennai 600 009.

5.Tamilnadu Teacher Education University,
Lady Willington College Campus,
Kamaraj Salai, Chennai-600 005.
Rep by its Registrar.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari calling for the records relating to the impugned 'Public Notice to the Teacher Educational Institutions" and the consequential "Instructions for filing up of Affidavit" published by the 2nd respondent National Council for Teacher Education in its official website (<http://ncte-india.org>), quash the same in so far as they compel the members of the petitioners-consortium (member list annexed) to submit an online Affidavit before 30.11.2016 with an undertaking to adhere to the impugned Instructions therein.



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:Mr.S.Kameshwaran
Government Advocate for R4
:Mr.V.Venkatesan for R5

COMMON ORDER

These writ petitions have been filed challenging the Regulations of the National Council of the Teacher Education of the year 2014.

2. The learned counsel for the petitioners would submit that subsequently, the said Regulations have undergone a sea change and the latest of such Regulations was of the month of October 2022, which the petitioner seeks liberty to challenge in an appropriate proceedings.



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3. In view that the Regulations of the National Council of the Teacher Education of the year 2014 have been superseded by subsequent Regulations, no further adjudication is required to be made in these writ petitions. The petitioners are always at liberty to challenge the subsequent notification, if they are aggrieved against.

4. Accordingly, these writ petitions are closed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

30.01.2023

Index : Yes / No
Speaking Order/Non Speaking Order
sbm



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