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W.P.(MD)NO.26427 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26427 of 2022 and
W.M.P.(MD)No.20617 of 2022

Idhayam College of Education,
Rep. by its Chairman,
Kannanur Post, Thuraiyur Taluk,
Trichy District.

... Petitioner

Vs.

The Tamil Nadu Teachers Education University,
Rep. By its Registrar,
Gangai Amman Kovil Street,
Karappakkam,
Chennai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus, calling for the records pertaining to the order passed by the respondent in his proceedings No.TNTEU/Eligibility/2022/592/04231 dated 03.11.2022 and quash the same and direct the respondent to approve the admission of 10 students for the academic year 2021-2022 B.Ed., two years and confer all the consequential benefits.

For Petitioner : Mr.V.Panneer Selvam

For Respondent : Mr.F.Deepak

* * *

**ORDER**

Heard the learned counsel on either side.

2. This is the second round of litigation. The petitioner had earlier filed W.P.(MD)No.3814 of 2022. The said writ petition was disposed of as follows:-

“ Heard the learned counsel on either side.

2. The writ petitioner is imparting Education in B.Ed Degree Course. The case on hand concerns the academic year 2021-22. The maximum intake of students permissible in the case of the petitioner's Institute is 100. According to the petitioner, they had admitted 100 students before the cutoff date i.e., 13.12.2021. This is contested by the learned Standing Counsel for the respondent University. According to him, they received the University list containing only names of 90 students before the cutoff date.

3. Be that as it may, the respondent University granted approval for the admission of only 90



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students. Seeking approval for remaining 10 students, this present writ petition has been filed. The said 10 students had however written the first semester examinations also. The results are yet to be published.

4. Now the learned counsel appearing for the petitioner states that the second semester examinations are to be held from 15.07.2022. My attention is drawn to the order dated 06.07.2022 passed by the Principal Seat in W.P.Nos. 4491 of 2022 etc., batch. The Paragraph 37 of the said order reads as follows:

“37.That apart, since the chart that was circulated in the second batch of Writ Petitions in regard to the number of seats allotted and the dates of compliances by the College in regard to the submission of the applications have not been provided in the first batch of Writ Petitions, there is a direction to R1 to verify compliances of the respective colleges with the cut off dates that were provided and,



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subject to the Syndicate granting approval, admit only those students in respect of whom applications, fee, as well as other required compliances were made in time.”

5. I am inclined to adopt the very same approach in the present case also. The petitioner is permitted to submit a fresh representation setting out their prayer for approval of the admission of the petition mentioned 10 students. It is for the respondent University to consider the same and grant approval. It is stated that the agenda has to be placed before syndicate in its next meeting. Since this process may take some time the respondent is directed to permit the petitioner to write the second semester examination. I make it clear that the declaration of the first semester results as well as the second semester results will depend upon the decision of the syndicate. The petitioner through his counsel make it clear that they will not claim any equities. The respondent University shall make the decision within a period



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of next eight weeks from the date of receipt of a copy of this order.

6. With this direction to the respondent University, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.”

3. Pursuant to the direction given by this Court, the respondent University considered the request of the petitioner and placed the matter for consideration before the syndicate. The syndicate decided that only 90 students who were admitted for admission in B.Ed. degree programme on or before 13.12.2021 alone will be approved and that the admission of the remaining 10 students will not be approved. Challenging the order dated 03.11.2022, the present writ petition came to be filed.

4. I considered the contentions advanced on the learned counsel on either side. The order impugned in this writ petition does not call for any interference. I consciously refrain from considering the contentions of the learned



counsel appearing for the petitioner only because the petitioner's counsel submitted that liberty may be given to knock the doors of the respondent once again.

5. It is open to the petitioner to move the respondent once again and it is for the respondent to take a call in the matter. I only grant liberty to the petitioner to move the respondent again. It is open to the petitioner to place all the relevant materials before the respondent. However, I refrain from issuing any direction to the respondent. It is for the respondent to take a call in the matter.

6. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

06.02.2023

NCS : Yes / No
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G.R.SWAMINATHAN,J.

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