



WEB COPY

WP No.781 of 2



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 31-01-2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM**

**WP No.781 of 2011**

**And**

**MP No.1 of 2011 and WMP No.11143 of 2018**

M/s.Amala Educational Trust,  
Represented by its Chairman and Trustee,  
Mr.G.Arjunan,  
No.1/77, W-Block,  
4<sup>th</sup> Street, Anna Nagar,  
Chennai-600 040.

.. Petitioner

-VS-

1.National Council for Teacher Education,  
(A statutory Body of the Government of India),  
Southern Regional Committee,  
Represented by it Regional Director,  
1<sup>st</sup> Floor, CSD Building, HMT Post,  
Bangalore-560 031.



2. Tamil Nadu Teachers Education University,  
Represented by its Registrar,  
Lady Willington College Campus,  
Kamarajar Salai,  
Triplicane,  
Chennai-600 005.

3. Periyar University,  
Represented by its Registrar,  
Salem-11.

4. Mr. G. Vincent Stalin (Deceased)  
[WP restored as against R-4 vide order of  
Court dated 20.04.2023 made in  
WMP No.34475 of 2018 in  
WP No.781 of 2011]

5. The Director of Collegiate Education,  
College Road,  
Chennai-600 006.

6. Sacikala,  
W/o. late G. Vincent Stalin

7. Sinthiya,  
D/o. Late G. Vincent Stalin  
[R-6 and R-7 are LRs of deceased R-4  
vide order of Court dated 02.06.2023 made  
in WMP No.13724 of 2023 in WP 781 of 2011] .. Respondents



Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Mandamus, directing the second respondent to cancel its proceedings TNTEU/R/AFF.B.Ed.(N) 2010-11/602 dated 29.09.2010 granting affiliation to Amala College of Education come under the Management of Amala Educational Trust for running the B.Ed., Course at Morasapatti, Edapadi Taluk, Salem District as the same was obtained by the fourth respondent on fraud and consequently forbearing the fourth respondent from running the B.Ed., Course in the name of Amala College of Education at Morasapatti, Edapadi Taluk, Salem District forthwith.

|                          |   |                                                 |
|--------------------------|---|-------------------------------------------------|
| For Petitioner           | : | Mr.P.Thiagarajan                                |
| For Respondent-1         | : | Mr.J.Harikrishna                                |
| For Respondent-2         | : | Ms.S.Buvaneswari,<br>Standing Counsel.          |
| For Respondent-3         | : | Ms.H.Mary Sowmi Rexi for<br>M/s.Isaac Chambers. |
| For Respondent-4         | : | Died, steps taken.                              |
| For Respondent-5         | : | Mr.G.Ameedius,<br>Government Advocate.          |
| For Respondents-6 and 7: | : | No Appearance                                   |



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## **ORDER**

The Writ of Mandamus has been instituted to direct the second respondent to cancel the recognition granted to Amala College of Education.

2. The petitioner is Amala Educational Trust represented by its Chairman and Trustee. The Trust developed Teachers Training College in the name of 'Amala College of Education'. The said College was under the administrative control of Amala Educational Trust for running the B.Ed., Course at Morasapatti, Edapadi Taluk, Salem District.

3. Mr.P.Thiagarajan, learned counsel for the petitioner would submit that the recognition from the first respondent was obtained fraudulently in the year 2006 and the B.Ed., Course is conducted without following the Rules and Regulations issued by the National Council for Teachers Education. Mr.P.Thiagarajan would further states that the management dispute exists between the Founder Trustee and other Trustees. In this regard, civil suit in OS No.179 of 2010 has been instituted on the file



of the Sub Court, Sankari, Salem District, which is pending. Thus the recognition granted to conduct B.Ed., Course is to be cancelled.

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4. Ms.S.Buveneswari, learned Standing Counsel appearing on behalf of the second respondent-University would submit that the Tamil Nadu Teachers Educational University is a Nodal Body, which would provide inputs to the first respondent for the purpose of considering the applications, if any submitted for grant of recognition.

5. The second respondent-University is controlled by the Government of Tamil Nadu, Higher Education Department.

6. This Court is of the considered opinion that the respondents 2 and 5 have to conduct inspection in Amala College of Education at Morasapatti, Edapadi Taluk, Salem District and a report is to be submitted to the first respondent for initiation of appropriate actions. In the event of any lapses or lack of infrastructure facilities as required under the Regulations, then all appropriate actions are to be initiated.



7. When the petitioner raises several allegations regarding the manner in which the B.Ed., Course is conducted, it is the duty mandated on the respondents 1, 2 and 5 to conduct inspection and submit a report to ascertain as to whether Amala College of Education is maintaining the prescribed standards and having necessary infrastructure facilities for the purpose of conducting B.Ed., Course in accordance with the Act and the Rules.

8. In view of the facts and circumstances, the respondents 1, 2 and 5 are directed to conduct inspection in Amala College of Education at Morasapatti, Edapadi Taluk, Salem District, within a period of four weeks from the date of receipt of a copy of this order. The Inspection Report is to be submitted to the first respondent for further actions and to pass appropriate orders on merits and in accordance with law. The petitioner is at liberty to submit representation along with the documents, if any, to the respondents 1, 2 and 5.



9. With the above directions and liberty, the present writ petition stands disposed of. However, there shall be no order as to costs.

Consequently, the connected miscellaneous petitions are closed.

**31-01-2024**

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

Svn

To



1. The Regional Director,  
National Council for Teacher Education,  
(A statutory Body of the Government of India),  
Southern Regional Committee,  
1<sup>st</sup> Floor, CSD Building, HMT Post,  
Bangalore-560 031.
2. The Registrar,  
Tamil Nadu Teachers Education University,  
Lady Willington College Campus,  
Kamarajar Salai,  
Triplicane,  
Chennai-600 005.
3. The Registrar,  
Periyar University,  
Salem-11.
4. The Director of Collegiate Education,  
College Road,  
Chennai-600 006.

**S.M.SUBRAMANIAM, J.**





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