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W.P.No.35961 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2024

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.35961 of 2023 and
WMP.Nos.35957 & 35958 of 2023

Pasumpon Muthuramalinga Thevar College,
Rep. by its Correspondent/Secretary, P.Pandian,
Plot No.3, Vadugapatti Post,
Usilampatti Taluk,
Madurai District – 625 532.

.... Petitioner

Vs

1.National Council for Teacher Education,
Rep. by its Chairperson,
G-7, Sector-10, Dwarka, Near Metro Station,
Delhi – 110 075.

2.Southern Regional Committee,
Rep. by its Regional Director,
National Council for Teacher Education,
G-7, Sector-10, Dwarka,
Near Metro Station, Delhi-110 075.

3.Tamil Nadu Physical Education and Sports University,
Rep. by its Registrar,
Melakottaiyur,
Chennai-600 127.

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the order of the 2nd respondent dated 20.02.2023 in F.SRC/NCTE/SRCAPP 14728/B.P.Ed./TN/2023/141193 and the consequential order of the 1st



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respondent dated 22.05.2023 in APPLSRC202314590 and quash the same.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.R.Thirunavukarasu (for R1 & R2)
No Appearance (for R3)

ORDER

The impugned orders are assailed on the ground of violation of principles of natural justice. The petitioner had been subjected to withdrawal of recognition granted to it for running a College. An appeal had been filed before the Regional Authority, being the National Council for Teacher Education/R1.

2.R1 has confirmed the withdrawal of recognition noting conspicuously that the institution did not submit any reply to the final show cause notice. In fact, the petitioner, on receipt of the final show cause notice dated 12.10.2022 had responded by reply dated 15.10.2022 and the postal track is placed at page No.76 of the typed set. The consignment had been delivered on 18.10.2022 itself.

3.Thus, for the authority to dismiss the appeal on 20.02.2023, four months after a reply was received by it, stating that no reply had been filed by the petitioner, is clearly bad in law and contrary to the principles of natural justice.

4.For this reason, order dated 20.02.2023 is set aside. The



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Regional Director/R2 will conduct the proceedings afresh and complete them, in accordance with law and in line with the principles of natural justice within a period of eight (8) weeks from date of receipt of a copy of this order.

5.This writ petition is allowed as above. No costs. Connected miscellaneous petitions are closed.

13.06.2024

vs

Index:Yes/No

Speaking order:Yes

Neutral Citation:Yes

To

- 1.The Chairperson,
National Council for Teacher Education,
G-7, Sector-10, Dwarka, Near Metro Station,
Delhi – 110 075.
- 2.The Regional Director,
Southern Regional Committee,
National Council for Teacher Education,
G-7, Sector-10, Dwarka,
Near Metro Station, Delhi-110 075.
- 3.The Registrar,
Tamil Nadu Physical Education and Sports University,
Melakottaiyur,
Chennai-600 127.

DR.ANITA SUMANTH,J.



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