



W.P(MD)No.5091 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5091 of 2024

and

W.M.P.(MD)Nos.4873 & 4875 of 2024

The Secretary,
St.Justin's College of Education,
No.161, Kamarajar Salari,
Madurai District-625 009.

... Petitioner

Vs.

1.The National Council for Teacher Education,
Rep. by its Secretary,
Hans Bhawan, Wing II,
Bahadurshahzafarmarg,
New Delhi-110 002.

2.The Regional Director,
Southern Regional Committee (SRC)
National Council for Teacher Educational
G-&, Sector-10 (Near Sector-10 Metro Station)
Dwarka, New Delhi-110 075.

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

4.Tamilnadu Teacher Education University,
Rep. by its Registrar,
Gangaiammankoil Street,
Karapakkam, Chennai-600 005.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceeding of the 2nd respondent SRC in withdrawing the recognition of petitioners college for conducting and M.Ed Programme w.e.f 2022-2023 academic session onwards in and in F.SRO/NCTE/APS06134/M.Ed/(TN)/2021/29598 dated 27.12.2021 and consequential impugned order of the 1st respondent NCTE in APPLSRC 202214319 dated 12.07.2022 in rejecting the appeal, quash the same and further direct the respondents 1 and 2 to restore the recognition for the M.Ed programme conducted in the petitioners college w.e.f 2022-2023 academic session onwards.

For Petitioner : Mr.Isaac Mohanlal
Senior Counsel
for Ms.A.Amala

For Respondents : Mr.So.Srinivasan
for R1 & R2

: Mr.K.S.Selvaganesan
Additional Government Pleader for R3

: Mr.F.Deepak for R4

ORDER

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for R1 & R2 and the learned Additional Government Pleader for R3 and the learned counsel for R4



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2. The petitioner herein has been imparting teacher education. It is a very old institution started way back in the year 1968. For the last 16 years, the petitioner has also been running M.Ed course. Recognition was withdrawn vide order dated 27.12.2021 by the Southern Regional Committee of NCTE. Aggrieved by the same, the petitioner filed an appeal before the appellate authority. The appellate authority disposed of the appeal on 12.07.2022. Challenging the same, the petitioner filed writ petition before the Delhi High Court. The said writ petition was withdrawn with liberty to file this writ petition.

3. Even before the learned senior counsel could commence his argument, the learned standing counsel pointed out that for running M.Ed degree courses with 50' students intake, faculty strength must be 10. At the time of passing the impugned order by the regional authority, the petitioner herein did not have requisite faculty strength. Even according to the learned senior counsel appearing for the petitioner, the approved faculty strength was only 4. Even this is contested by the learned standing counsel for NCET. When the regulation stipulates that an approved faculty strength must be 10, since the petitioner did not possess the said strength, the question of interfering with the



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impugned order will not arise at all. The learned senior counsel states that since the academic year 2023-24, they have full strength and it has also been submitted to SRC on 03.07.2023. It is for SRC to take a call.

4. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

04.03.2024

Index : Yes / No
Internet : Yes/ No
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To

The Secretary,
Department of Higher Education,
Fort St.George,
Chennai 600 009.



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G.R.SWAMINATHAN, J.

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