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WMP NO. 5797 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

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THE HONOURABLE MRS JUSTICE N. MALA

WMP NO. 5797 of 2025

in

WP NO. 37866 of 2024

Devarajan College Of Education
Represented By Its Correspondent,
S.D. Muthammal Goundarkadu, Main Road,
Kariyapattinam Vedaranyam Taluk,
Nagapattinam District 614 806

Petitioner(s)

Vs

The Syndicate of The Tamil Nadu Teacher Education
University,
Represented By its Registrar,
Gangaiamman Koil Street,
Karapakkam Chennai 600 097 and another

Respondent(s)

For Petitioner(s):

Mr.P.Ebenezer Paul

For Respondent(s):

Mr.D.Ravichander
Standing Counsel

ORDER

This Writ Miscellaneous Petition is filed to direct the respondents to permit
100 students of the petitioner institution admitted in B.Ed course for the academic



year 2024-2025 to pay their examination fee and permit them to appear in the ensuing theory and practical examination of B.Ed course to be held in February/March 2025 or any other subsequent dates.

2. Mr.Ebenezer Paul, learned counsel for the petitioner submitted that the students were admitted in the petitioner's college for the academic year 2024-2025 in the month of June 2024 and the classes commenced in the month of July 2024. While so, the respondent/University withdrew the affiliation of the petitioner/college for the academic year 2024-2025 on 28.10.2024 vide the impugned order. The learned counsel further submitted that the examination is to be conducted in the month of February/ March 2025 and therefore in the interest of the students, a direction should be issued to the respondents to permit the 100 students of the petitioner/college admitted in B.Ed course for the academic year 2024-25 to pay their examination fee and permit them to appear in the ensuing theory and practical examination of B.Ed course.

3. The learned counsel for the petitioner relying on Section 17(3) of the National Council for Teacher Education Act, 1993 (in short, 'the Act'), submitted that assuming that the impugned order dated 28.10.2024 was valid, the same would take effect only from the end of the academic session next following the date of communication of the order. He therefore submitted that unless and until

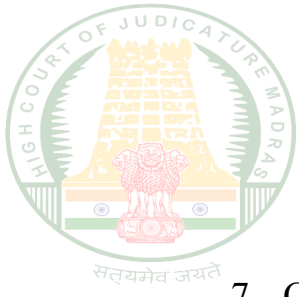


the portal of the respondent University was opened, the students' particulars cannot be uploaded for paying the examination fees of the students.

4. Mr.D.Ravichander, learned Standing Counsel appearing for the respondents submitted that reasonable opportunities were given to the petitioner by way of a show cause notice dated 16.08.2024, before passing the impugned order. The petitioner had submitted its explanation to the said show cause notice on 21.08.2024, and the same was considered by the respondents and thereafter only the present impugned order came to be passed by the respondents. The counsel submitted that as the petitioner college admitted the students without any affiliation, the interim direction prayed for should not be granted.

5. Heard both sides and perused the materials available on record.

6. It is seen that the petitioner/college had admitted students for the academic year 2024-2025 in the month of June 2024, and the classes commenced for the academic year 2024-2025, in the month of July 2024. The impugned order withdrawing affiliation of the petitioner's college for the academic year 2024-25 was issued on 28.10.2024. Further, Section 17(3) of the NCTE Act, clearly states that the impugned order shall take effect from the end of the academic session next following the date of communication of the said order.



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7. Considering the facts and circumstances of the case, and in the interest of the students, the respondents are directed to open the portal of the University to enable the petitioner college to upload the particulars of the students and thereafter remit the fees for writing the examination. As the exams are around the corner, the said exercise shall be completed **within two days from today.**

8. It is made clear that no equity can be claimed either by the college or by the students. The petitioner/college is directed to furnish the details of the students once the portal is opened and remit the examination fee.

9. Accordingly, this Writ Miscellaneous Petition is ordered.

10. Post the W.P.No.37866 of 2024 on 13.03.2025 for filing counter affidavit.

18-02-2025

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Note

Issue order copy Today



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N. MALA,J.,
jd

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