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W.P.Nos.27530 and 30280 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.27530 and 30280 of 2022
and W.M.P.Nos.26766, 29712 and 29713 of 2022

Kanimozhi Pannerselvam College of Education,
Represented by its Correspondent V.Kavitha .. Petitioner
(in both the cases)

Versus

1. The Registrar,
Tamil Nadu Teachers Education University,
Gangaiamman Koil Street,
Karapakkam,
Chennai – 600 097.

2. The Syndicate of University,
Tamil Nadu Teachers Education University,
Gangaiamman Koil Street,
Karapakkam,
Chennai – 600 097.

.. Respondents
(in both the cases)

Prayer in W.P.No.27530 of 2022 : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari, to call for the records of the first respondent in proceedings No.TNTEU/R/Affln/Show Cause Notice/2022/03993, dated 26.09.2022 and quash the same.



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Prayer in W.P.No.30280 of 2022 : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari, calling for the records of the first respondent in proceedings in No.TNTEU/R/Affln/Withdrawal/2022/04209, dated 29.10.2022 and quash the same.

For Petitioner : Mr.L.Murali Krishnan
(in both the cases)

For Respondents : Mr.D.Ravichander,
(in both the cases) Standing Counsel

COMMON ORDER

These two Writ Petitions are connected to each other and as such, are taken up and disposed of by this common order.

2. W.P.No.27530 of 2022 is filed with a prayer to call for the records on the file of the first respondent relating to the show-cause notice, dated 26.09.2022 and to quash the same. W.P.No.30280 of 2022 is filed with a prayer to call for the records relating to the order, dated 29.10.2022 withdrawing the recognition and to quash the same.

3. According to the learned Counsel for the petitioner, an interim order is also granted in favour of the petitioner institution and as on date,



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the petitioner institution is functioning on the strength of the interim order.

The entire exercise that was done and the interim order that was passed and the manner in which the final order was passed has been encapsulated by this Court in W.P.No.30280 of 2022 speaking through the Hon'ble Mr.Justice R.Suresh Kumar by the order, dated 15.11.2022 and the same is extracted hereunder for ready reference:-

“This Court, by an interim order dated 14.10.2022 in W.P.No.25730 of 2022, has passed the following order:

“ *Considering the facts and circumstances and after having heard the learned counsel appearing for both sides, this Court is inclined to grant the following interim order:*

That there shall be a direction to the respondent University to furnish the inspection report dated 24.06.2022 pertaining to the petitioner college to the petitioner college within a period of one week. On receipt of the same, the petitioner college shall give reply with supportive documents within a period of one week thereafter, based on the reply to be submitted by the petitioner college, the University can discuss and deliberate and decide the issue at the appropriate forum of the University and come to a conclusion that, if action is required such decision can be reduced into writing in the form of a statement and shall be filed before this Court in a sealed cover. Post the matter on 07.11.2022.”

2. Pursuant to the same, the inspection report has been sent by the respondent University in a cover dated 21.10.2022 which was dispatched on 22.10.2022



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and the petitioner received it on 27.10.2022.

3. Before the petitioner could send the reply within a period of one week, as referred in the order cited above, the respondent University has passed an order on 29.10.2022 by stating the following:

“Based on the above direction, the University, has forwarded the Surprise Inspection Report vide Office Communication reference 11th cited.

However, the University is yet to receive any explanation / communication from Kanimozhi Panneerselvam College of Education, Nagapattinam District for communication 11th cited.

In accordance with decision taken by Syndicate stated above under the power vested, on it in the Act, the Affiliation granted to the Kanimozhi Panneerselvam College of Education, Nagapattinam District is withdrawn from the academic year 2022-2023.

The Management of the College is hereby strictly instructed that the said College of Education shall not function as College of Education any more consequent to the withdrawal of affiliation and shall also not admit the students to B.Ed Degree Programme from the academic year 2022-23.

The Correspondent of the College shall take note of the above decision of the Syndicate of this University and shall abide by and adhere to the orders strictly.”

4. Challenging the said order dated 29.10.2022 withdrawing the affiliation given to the petitioner institution, the present writ petition has been filed.

5. Heard Mr.S.R.Rajagopal, learned Senior



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Counsel appearing for the petitioner, who submits that, one week time was given by this Court since the report was received by the petitioner on 27.10.2022, the petitioner would have given a reply and the reply also was made ready. However, before sending the reply, the impugned order dated 29.10.2022 has been passed, withdrawing the affiliation granted to the petitioner institution. Therefore, it is totally against the order passed by this Court referred to above, wherein it was specifically directed that based on the reply to be submitted by the petitioner college, the University can discuss and deliberate and decide the issue at the appropriate forum of the University and come to a conclusion that, if action is required such decision can be reduced into writing in the form of a statement and the same shall be filed before this Court in a sealed cover. Hence the order impugned in this writ petition is liable to be interfered with.

6. Heard Mr.C.H.Vinobha Gandhi, learned Standing Counsel appearing for the respondents, who submits that as directed by this Court, report has been dispatched to the petitioner and after waiting for one clear week, the impugned order has been passed, as there has been no reply from the petitioner. Therefore, the order passed by the respondent University which is impugned herein is in consonance with the direction already given by this Court, he contended.

7. I have heard the submissions made by the learned counsel on either side and have perused the materials placed on record.

8. First of all, the report whether it reached the petitioner should have been verified, since it has been dispatched on 22.10.2022. Normally the postal department would take 2-3 days. Anyhow, now the petitioner has submitted that it has received the report only on 27.10.2022, without even giving that one week breathing time as given by this Court the order impugned has been passed withdrawing the affiliation.

9. The import of the order which is referred to herein above is to see what is the report and what is the reply of the petitioner, based on which what decision the



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University wants to take after deliberation has to be ascertained and that is the reason why this Court gave a direction to the respondent University to file it in a sealed cover. However, in violation of the said direction, without even giving one week time to submit the reply since the order impugned withdrawing the affiliation has been passed, this Court prima facie feels that the impugned order can be interfered with.

10. Hence, there shall be interim stay of the order dated 29.10.2022. One week time is now given to the petitioner from today, within which the reply shall be filed before the respondent University and, on receipt of the same the University shall comply with the order dated 14.10.2022 and file the decision in a sealed cover during the next hearing date.

11. Post the matter after three weeks.”

4. Thus, when an opportunity was granted to the petitioner to submit a reply after receipt of the inspection report, even before the time could expire, the impugned order of withdrawal of recognition was passed. Under the said circumstances, one more opportunity was also given to the petitioner to submit the explanation. Even as on today, the matter stands at the same stage.

5. In view thereof, these Writ Petitions are disposed of on the following terms:-

(i) The impugned order, dated 29.10.2022 shall stand set aside.

For the allegations mentioned in the show-cause notice and in the



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inspection report, the petitioner was already granted an opportunity to send a reply. The petitioner shall also send their additional explanation, if any, along with any supporting documents within two weeks from the date of receipt of a web-copy of this order;

(ii) Thereafter, the respondent University shall conduct an enquiry by affording an opportunity to the petitioner and pass fresh orders thereon in accordance with law;

(iii) The said exercise shall be completed within a period of eight weeks from the date of furnishing of the additional reply of the petitioner;

(iv) There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

22.01.2026

Neutral Citation : no
grs

To

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D.BHARATHA CHAKRAVARTHY, J.

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