



**IN THE HIGH COURT OF ANDHRA
PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

W.P.Nos.6329, 6405, 6426, 6482, 6484 & 6775 of 2026

WRIT PETITION NO: 6329 OF 2026

Between:

1. Sri Siva Teja D.Ed College, Represented by its Correspondent
Sri. Peruri Ramalinga Raghu Veer Cumbum village and City,
Prakasam District, Andhra Pradesh - 523 333

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Special Chief
Secretary, School Education Department Secretariat, Tullur,
Velagapudi, Guntur District, Andhra Pradesh.522238

2. The Commissioner of School Education, Government of
Andhra Pradesh Venkatadri Towers, opp. DGP Office Besides
Happy Resorts Atmakur, Mangalagiri, Guntur District, Andhra
Pradesh-521456.

3. The National Council for Teacher Education, Southern
Regional Committee Rep by its Regional Director G-7, Sector
10, Dwaraka New Delhi-110075

...Respondents

Petition under Article 226 of the Constitution of India praying
that in the circumstances stated in the affidavit filed therewith, the
High Court may be pleased to issue an appropriate

Writ, more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd Respondent in treating the Petitioner institution as derecognized pursuant to proceedings F.No.NCTE-Reg/018/119/2021 -Regulation Section-SRC/AP/128711 dated 05-10-2021 (in which the Petitioner is shown at Serial No. 229) as illegal, arbitrary and unsustainable in law and consequently set aside the said impugned proceedings insofar as the Petitioner is concerned, in the light of the judgment of this Hon'ble Court and the Division Bench, and direct the Respondents to issue fresh show cause notice, if so advised, and proceed strictly in accordance with Section 17 of the NCTE Act, 1993

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant an interim order suspending the operation and implementation of the impugned proceedings bearing F. No. NCTE-Reg/018/119/2021-Regulation Section-SRC/AP/128711 dated 05-10-2021, in so far as the present Petitioner institution shown at Serial No. 229 in the said impugned proceedings is concerned, pending disposal of the Writ Petition

Counsel for the Petitioner: SRI VIJAY MATHUKUMILLI

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

**Counsel for the Respondents: VENNA HEMANTH
KUMAR(CENTRAL GOVERNMENT COUNSEL)**

The Court made the following order:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY**W.P.Nos.6329, 6405, 6426, 6482, 6484 & 6775 of 2026****COMMON ORDER:**

Since common questions of law and facts arise for consideration in this batch of Writ Petitions, they are being disposed of by way of this Common Order. To appreciate the *lis* involved in these petitions, W.P. No. 6329 of 2026 is treated as the lead case, and the facts therein are being adverted to.

W.P.No.6329 of 2026

2. This Writ Petition is filed questioning the action of the Respondent No.3 in treating the Petitioner's Institution as derecognized pursuant to the proceedings in F.No.NCTE-Reg/018/119/2021-RegulationsSection-SRC/AP/128711, dated 05.10.2021, as illegal and arbitrary.

3. The Petitioner's Institution was initially granted recognition under Section 14 of the National Council for Teacher Education Act, 1993 (for short, 'the NCTE Act, 1993') for conducting the Diploma in Education (D.Ed) course in accordance with the statutory mandate. While so, the impugned Proceedings dated 05.10.2021 were issued by Respondent No. 3, derecognizing several institutes across the country under Section 17 of the NCTE Act, 1993, without issuing any notice. Questioning the same, several Writ Petitions, vide W.P. No. 7002 of 2022 and batch, were filed

before this Court. This Court disposed of the said Writ Petitions by way of a Common Order dated 15.11.2022, setting aside the proceedings issued by Respondent No. 3. The said Common Order was confirmed in Writ Appeal No. 426 of 2025 on 04.08.2025. It is stated that the Petitioner did not file a Writ Petition challenging the order issued by Respondent No. 3 in derecognizing the Petitioner's Institution at the earliest point of time, as the Petitioner's Institution was under the impression that setting aside the orders passed by Respondent No. 3 in one of the Writ Petitions would accrue to the benefit of all the institutions similarly situated. Subsequently, the Petitioner's Institution was informed that the Petitioner should challenge the orders passed by Respondent No. 3 in derecognizing the Petitioner's Institution independently. Hence, the present Writ Petition.

4. Learned Counsel for the Petitioners submits that, though there is a delay in filing the Writ Petition, the delay is only to the advantage of the Petitioners, and therefore, the Courts should be liberal in granting reliefs claimed by the Petitioners in the nature of these Writ Petitions.

5. Learned Standing Counsel appearing for Respondents/NCTE submits that the impugned Order was passed in the year 2021 and the challenge by the Petitioners, questioning the Proceedings in the year 2021 at this time, is hit of latches.

6. Heard the learned respective counsel.

7. In a batch of Writ Petitions, i.e., W.P. No. 7002 of 2022 and batch, the proceedings issued by Respondent No. 3 in de-recognising the several colleges were challenged, and the said Writ Petitions were disposed of, directing the Petitioner's colleges to offer explanation within a period of four weeks, and Respondent No. 3 was directed to pass appropriate orders in accordance with the law. The relevant portion of the Order is extracted:

"In that view of the matter, the Order dated 05-10-2021 passed by respondent No. 3 is hereby set aside. Respondent No. 3 may initiate proceedings by issuing fresh show-cause notice to all the petitioners-colleges through email as well as registered post with acknowledgement due within a period of three weeks from the date of receipt of a copy of this order if he is so advised. On receipt of such show-cause notice, the petitioners-colleges are directed to offer their explanations within a period of four weeks thereafter and on such explanations, if any, being offered by the petitioners-colleges, respondent No. 3 is directed to pass appropriate orders in accordance with law within a period of four weeks thereafter and communicate the same to the petitioners".

8. Similar Orders were passed by this Court in another batch of Writ Petitions in W.P. No. 18251 of 2024 and batch, dated 01.10.2024. The N.C.T.E., thereupon filed Writ Appeal Nos. 426 of 2025 and batch, questioning the Orders passed in W.P. No. 18251 of 2024 and batch; and the Hon'ble Division Bench, after considering the submissions, clarified that the N.C.T.E. would have to issue a fresh show-cause notice calling for the explanation and after receipt of the explanation, reasoned orders could be passed. The relevant portion of the Judgment is as follows:

“5. Considering the limited controversy, we hold that the very factum of directing the issuance of a fresh show cause notice to the petitioners by the learned single Judge would have meant that the order of de-recognition was set aside. However, with a view to put an end to this controversy, we hold that by virtue of the judgment and order impugned, the orders of de-recognition would be deemed to have been set aside. 3 HCJ & RC, J WA_426_2025 & batch The appellants would therefore proceed to issue fresh show cause notices to the petitioner institutions calling for the explanation and would pass reasoned orders in the case of each of the petitioners – respondent No.1 herein in accordance with law and the directions issued by the learned single Judge. As is prayed by learned counsel for the appellant, it would be open to the appellant to drop the proceedings against the petitioner institutions if it so desires, if there was otherwise compliance with the requirements of the National Council for Teacher Education Act, 1993.

6. The Writ Appeals are accordingly disposed of. No order as to costs”.

9. As the Petitioners are similarly situated in the above referred Writ Petitions, the present Writ Petitions are disposed of with the following directions:

- i) The impugned Order dated 05.10.2021 is hereby set aside.
- ii) The Respondents shall follow the procedure prescribed in W.A.No.426 of 2025 and batch, dated 04.08.2025 as extracted above.
- iii) There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in this case shall stand closed.

NYAPATHY VIJAY, J

Date: 05.05.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY



W.P.Nos.6329, 6405, 6426, 6482, 6484 & 6775 of 2026

Dt. 05.05.2026

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