



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION NO: 6687 OF 2026

Between:

Sree Adilakshmamma College of Education, Rep by its Correspondent Sri.
Dega Vara Kumar Plot No. 9, Chennaiahgunta, Karakambadi Road,
Mangalam Tirupathi, Andhra Pradesh - 517501.

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Special Chief Secretary Higher Education Department, Tulluru, Secretariat Buildings Velagapudi, Guntur District.522238
2. The National Council for Teacher Education, Southern Regional Committee Rep by its Regional Director G-7, Sector-10, Dwaraka New Delhi-110075.
3. The National Council for Teacher Education, Southern Regional Committee Rep by its Member Secretary G-7, Sector-10, Dwaraka New Delhi - 110075.
4. Sri Venkateswara University, Rep by its Registrar Prakasam Road, Tirupati, Andhra Pradesh 517502.

....Respondents

WHEREAS the Petitioner above named through its Advocate SRI VIJAY MATHUKUMILLI presented this 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 in the nature

of Writ of Mandamus declaring the action of the 2nd Respondent Regional Director, National Council for Teacher Education, Southern Regional Committee in issuing the orders vide File No. NCTE /2025/SRC /PAR/ORDER/SRCAPP3443, dated 21-05-2025, whereby and whereunder the recognition granted to the Petitioner-Institution is withdrawn on pretext that the Petitioner institution failed to upload the Performance Appraisal Report (PAR) for the academic years 2021-22 on the NCTE website in terms of the Public Notice issued by the 3rd Respondent, Member-Secretary, as being arbitrary, illegal, unwarranted and violative of Articles 14 and 19 of the Constitution of India, and violative of the Section 17 of National Council for Teacher Education Act 1993 and the Rules framed thereunder and consequently set aside the same and issue.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SRI VIJAY MATHUKUMILLI Advocate for the Petitioner, GP FOR HIGHER EDUCATION for respondent no.1, Sri V.Hemanth Kumar, Standing Counsel for respondent nos.2 & 3, Sri T.Ramesh Babu, Standing Counsel for respondent no.4 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Special Chief Secretary Higher Education Department, State of Andhra Pradesh, Tulluru, Secretariat Buildings Velagapudi, Guntur District.522238
2. The Regional Director, National Council for Teacher Education, Southern Regional Committee, G-7, Sector-10, Dwaraka New Delhi-110075.

3. The Member Secretary, National Council for Teacher Education, Southern Regional Committee, G-7, Sector-10, Dwaraka New Delhi - 110075.
4. The Registrar, Sri Venkateswara University, Prakasam Road, Tirupati, Andhra Pradesh 517502.

are be and hereby directed to show cause either appearing in person or through an advocate within four weeks to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th Respondent to grant affiliation to the Petitioner institution for the academic year 2026-27 without taking consideration of the Impugned Withdrawal order dated 21-05-2025 issued by the 2nd Respondent, pending disposal of WP No. 6687 of 2026, on the file of the High Court.

IA NO: 2 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the impugned withdrawal order vide File No. NCTE /2025/SRC /PAR/ORDER/SRCAPP3443, dated 21-05-2025 issued by the 2nd Respondent, pending disposal of WP No. 6687 of 2026, on the file of the High Court.

The Court made the following: ORDER

- 1. Notice before admission, returnable in four weeks.**
- 2. The present Writ Petition is filed questioning the orders issued by Respondent No.2 vide File No. NCTE/2025/SRC/PAR/ORDER/SRCAPP 3443, dated 21.05.2025, withdrawing recognition given to the Petitioner/Institution due to failure to upload the Performance Appraisal Report ('PAR') for the academic years 2021-2022 on the National Council for Teacher Education (for short, 'NCTE') Website, pursuant to public notice dated 09.09.2024, as illegal and arbitrary.**
- 3. The Petitioner is an educational institution offering Bachelor of Education (for short, 'B.Ed') course to the students and was granted recognition by 'NCTE' on 12.04.2016, and thereafter, affiliation was granted to the Petitioner/Institution by Respondent No.4/Sri Venkateswara University').**
- 4. While so, a public notice was issued by the Member Secretary of 'NCTE' on 09.09.2024, calling upon the colleges to submit the Performance Appraisal Report ('PAR') for the academic years 2021-22 and 2022-23 on the 'NCTE' portal with the necessary payment. As the Petitioner/Institution could not upload the Performance Appraisal Report ('PAR') the Southern Regional Committee of 'NCTE' had withdrawn the recognition of the 'B.Ed.' course in exercise of power under Section 17 of the National Council For Teacher Education Act, 1993 (for short 'the Act') for the academic year 2025 2026. Hence, the present Writ Petition is filed.**
- 5. Learned counsel for the Petitioner/Institution relies upon the Judgment of the Delhi High Court in L.P.A.No.190 of 2021 and batch dated 13.03.2023, whereunder the public notice issued on 22.02.2019 was set aside. Learned counsel further submitted that the Respondent-Authorities cannot de-recognize the Petitioner/Institution for non-compliance of Performance Appraisal Report ('PAR'), as the same is**

only a statistical requirement for 'NCTE' and the provision of the Act does not empower the 'NCTE' to de-recognize the Petitioner/Institution for failure to comply with the submission of Performance Appraisal Report ('PAR').

Sri Venna Hemanth Kumar, learned Standing Counsel for 'NCTE,' submits that Performance Appraisal Report ('PAR') is a requirement and filing Performance Appraisal Report ('PAR') can be traced at Section 12(k) of the Act, and 'NCTE' is empowered to de recognize the institution in the case of non compliance.

7. Sri T. Ramesh Babu, learned Standing Counsel for Respondent No.4/University submits that the affiliation is only a consequence of recognition.

8. Heard the respective counsel.

9. Firstly, the contention of the learned counsel for the Petitioner/Institution with regard to his reliance on the Judgment of the Delhi High Court delivered in L.P.A.No.190 of 2021, appears to be misplaced, as the public notice which was under challenge in L.P.A.No.190 of 2021 was dated 22.09.2019 and in the present case, the impugned order is passed pursuant to the said public notice dated 09.09.2024.

10. Secondly, the Section 12 of the Act specifies the functions of the 'NCTE' council. The sub-section-(K) of Section 12 calls for Performance Appraisal Report ('PAR') from the educational institutions, which come under the jurisdiction of the 'NCTE'.

11. Pursuant thereto, the public notice was issued on 09.09.2024, and a reading of this public notice would indicate that educational institutions were called upon to submit Performance Appraisal Report ('PAR'), but no consequence is provided in the said public notice in the event of failure to submit the Performance Appraisal Report ('PAR') by the educational institutions.

12. Thirdly, Section 17 of the Act provides for de-recognition only in the event, a recognized institution has contravened any of the provisions of the Act, or the rules, regulations, orders made or issued thereunder, or any condition subject to which recognition under sub-section (3) of section 14 or permission under sub-section (3) of section 15 was granted. The contravention referred above is with regard to provisions which are mandatory for granting recognition.

13. The non-compliance with the submission of Performance Appraisal Report ('PAR') prima facie cannot be termed to be falling within the scope of Section 17 of the Act to enable 'NCTE' to de recognize the Petitioner/Institution.

14. Fourthly, even assuming for the sake of argument that the Performance Appraisal Report ('PAR') falls within the scope of Section 17 of the Act, the same is only a regulatory and statistical requirement and to de-recognize for noncompliance would be wholly disproportionate to the power conferred.

15. Therefore, there shall be an interim order as under:-

(i) There shall be an interim suspension of the impugned proceedings issued by Respondent No.2 vide File No.NCTE/2025/SRC/PAR/ORDER/ SRCAPP3443, dated 21.05.2025, until further orders.

(ii) The Respondent Nos.2 and 3 are directed to open the website/portal permitting the Petitioner/Institution to submit the Performance Appraisal Report ('PAR').

16. Post this matter after four (04) weeks.

//TRUE COPY//

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Special Chief Secretary Higher Education Department, State of Andhra Pradesh, Tulluru, Secretariat Buildings Velagapudi, Guntur District.522238
2. The Regional Director, National Council for Teacher Education, Southern Regional Committee, G-7, Sector-10, Dwaraka New Delhi- 110075.
3. The Member Secretary, National Council for Teacher Education, Southern Regional Committee, G-7, Sector-10, Dwaraka New Delhi - 110075.
4. The Registrar, Sri Venkateswara University, Prakasam Road, Tirupati, Andhra Pradesh 517502 (1 to 4 by RPAD- along with a copy of petition and memorandum of grounds)
5. One CC to SRI. SRI VIJAY MATHUKUMILLI Advocate [OPUC]
6. Two CCs to GP FOR HIGHER EDUCATION ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

ksr

HIGH COURT

VN, J

DATED:10/03/2026

Post this matter after four (04) weeks.

NOTICE BEFORE ADMISSION

WP.No.6687 of 2026

DIRECTION

