

APHC010175112024



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

[3333]

TUESDAY, THE SIXTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 8752/2024

Between:

St.thomas College Of Education

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. GP FOR HIGHER EDUCATION

The Court made the following:

I.A.No.1 of 2024

The present Interlocutory Application is filed seeking to suspend the impugned minutes of the 434th meeting of the 3rd respondent dated 22.03.2024 to the extent of the petitioner institution.

Heard.

The case of the petitioner is that the 3rd respondent has issued a Show Cause Notice under Section 17 of NCTE Act 1993, to the petitioner's institution on 13.04.2021, in pursuance of which the petitioner submitted requisite documents on 27.08.2021.

However, without considering the same, the final Show Cause Notice was issued on 04.02.2022, in pursuance of which the petitioner again submitted an explanation on 25.02.2022.

The main grievance of the petitioner is that the earlier Show Cause Notices were only to submit the requisite documents, in pursuance of the amendment of the regulations. Before issuing the said Show Cause Notices, no deficiencies have been identified by the 3rd respondent herein, but however, inspite of submitting all the documents and the explanations, the 3rd respondent have passed the impugned order dated 22.03.2024, identifying six (06) deficiencies, for the first time.

On a perusal of the impugned proceedings, it can be observed that no deficiencies were identified at the time of issuance of earlier show-cause notices, but however, after identifying the deficiencies as pointed out in the impugned proceedings dated 22.03.2024, the respondents have failed to issue a show-cause notice once again calling for an explanation from the petitioner instead of straightaway withdrawing the recognition, which was granted to the petitioner in the year 2005, which in fact is in violation of principles of natural justice. It is also a fact that earlier two show-cause notices were issued by the respondents, which are referred in the order dated 22.03.2024, are only requesting the petitioner to submit requisite documents in pursuance of the amendment of the regulations, as contemplated under Section 17 of NCTE Act, 1993 but not calling for explanation for compliance of any of the deficiencies as pointed out in the impugned proceedings.

In view of the same, there shall be interim suspension of the impugned proceedings dated 22.03.2024, issued by the 3rd respondent only to the extent of the petitioner's institution.

JUSTICE V.SUJATHA

W.P.No.8752 of 2024

Post the matter after three (03) weeks, for filing counter.

JUSTICE V.SUJATHA

Note: Issue C.C. Today
B/o.
Ksj