

V. Radhakrishnan Vs. State of Tamil Nadu and Another

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SooperKanoon Citation : sooperkanoon.com/777799

Court : Chennai

Decided On : Jan-31-1994

Reported in : AIR1995Mad196

Judge : Srinivasan and ;Thangamani, JJ.

Acts : [Constitution of India](#) - Article 226

Appeal No. : W.P. No. 18431 of 1993

Appellant : V. Radhakrishnan

Respondent : State of Tamil Nadu and Another

Advocate for Def. : Mr. K. Subramaniam, Adv. Genl. and ;Mr. P. Shanmugham,
Spl. Govt. Pleader

Advocate for Pet/Ap. : Mr. V. Radhakrishnan, Adv.

Judgement :

ORDER

Srinivasan, J.

1. The prayer in this petition is for issue of a Mandamus directing the respondents to consider and pass orders on the memorandum dated 28-7-1993 and subsequent reminders submitted by the petitioner's Association for modifying

G.O.Ms. No. 535 Education (UI) Department, dated 17-5-1989, within such time as may be prescribed by this court.

2. By G.O.Ms. No. 535, dated 17-5-1989, the Government prescribed rules for grant of recognition to private teacher training Institutes. This applies to non-minority institutions, while the minority institutions are governed by G.O. Ms. No. 536 of the same date. The validity of both the G.Os. was upheld by this Court and the Supreme Court. The Petitioner Association has made an application to the Government for amending G.O. Ms. No. 535. The prayer in the writ petition is to direct the Government to consider the application. We do not think it proper for this court to issue directions to the Government to consider applications for amendment of rule. It is entirely within the Jurisdiction of the Government to frame rules or amend the same. It will be certainly open to the Government to take into consideration the representations made by the private Teacher Training Institutes or their Associations.

3. Moreover, it has been brought to our notice by the Special Government Pleader that the Government has issued G.O. Ms. No. 1054, dated 15-11-1993 constituting a committee consisting of six persons named therein to review the conditions laid down for the recognition of private Teacher Training Institutes. The Government has also fixed a time limit within which the committee should submit its report.

In the circumstances, there is absolutely no necessity or warrant for issuing a writ as prayed for by the petitioner herein. Hence, this petition is dismissed. No costs.

4. Petition dismissed.