
(1998) 09 MAD CK 0023

In the Madras High Court

Case No : Writ Petition No's. 10486 and 13418 of 1997 and 285, 1730, 9426, 9490 and 9491 of 1998

India Evangelical Lutheran Church

APPELLANT

Vs

The Principal, District Institute for Education and Training and Others

RESPONDENT

Date of Decision : 09-09-1998

Acts Referred:

Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 — Section 53A, 53A(2)

Citation : (1998) 09 MAD CK 0023

Hon'ble Judges : S.S. Subramani, J

Bench : Single Bench

Advocate : V. Selvaraj, in W.P. No. 10486/97, Peppin Fernando, in W.P. Nos. 9490 and 9491 of 1998, V. Jeevagiridharan, in W.P. No. 9426 of 1998, V. Lakshminarayanan, in W.P. No. 13418 of 1997 and G. Masilamani for N. Devarajan, in W.P. Nos. 285 and 1730 of 1998, for the Appellant; Francolours, for 5th Respondent in W.P. 1730/98, for RR 6 and 7 in W.P. 285/98, for 2nd Respondent in W.P. 10486/97 and for RR 2 and 3 in W.P. 13418/97 and S. Manikumar, A.G.P. (Education), for the Respondent

Final Decision : Dismissed

Judgement

S.S. Subramani, J.—In all these Writ Petitions, a common question arises viz., which is the Educational Agency, whether it is Indian

Evangelical Lutheran Church shortly known as "IELC" or whether it is Indian Evangelical Lutheran Church, Ambur Synod. Even though the reliefs

sought for in these Writ Petitions are different, by consent of all parties, they are decided and disposed of by this common order.

2. W.P. No. 10486 of 1997 is filed by the Indian Evangelical Lutheran Church, represented by its General Treasurer, Central Business Office,

Concordia Campus, Nagercoil, represented by one S.L. Bright.

3. In the said Writ Petition, it is stated that the Petitioner's society is registered under the Central Act 21 of 1860. It has got 3 synods. The apex

body of the society is IELC convention which is to meet atleast once in three years. The church council will act for the convention in the matter of

day-today administration. The church council consists of officers and members. The officers are: the President, the Vice President, the Secretary,

the General Treasurer and the Comptroller. The three synods are: Ambur, Nagercoil and Tiruvananthapuram. All these three synods have separate

constitutions, but subservient to the apex body IELC. The provisions- of the constitution of these Synods should be in conformity with the

provisions of the constitution of IELC. otherwise, it will have no force and sanctity.

4. There are several institutions established and administered by IELC. The properties of the IELC including the institutions are vested in a trust

called IELC trust association registered under the Companies Act. The IELC is the Educational Agency for all the institutions established and

administered by the IELC. The Concordia Teacher Training Institute, Ambur is one of the Educational Institutions established and administered by

the Petitioner's society. The institution is more than 75 years old and recognised as a minority institution. As per the byelaws of the Petitioner's

society, the Educational Institutions are administered by a board viz., Board of Education. The said Board alone is entitled to appoint the principal

of the Training Institute. The principal has to be appointed by the Board in consultation with the executive committee and the educational

committee of the Ambur Synod. The constitution of the Ambur synod is subservient and is to be in consonance with the constitution of the apex

body i.e. IELC. The second Respondent in this Writ Petition viz., S.C. Nathaniel, Concordia Teacher Training Institute, Ambur was appointed as

a principal in 1984 in accordance with the constitution of the Petitioner's society. He was also designated as correspondent of the Training School.

Respondents 3 and 4 in the said Writ Petition are now falsely claiming to be the Chairman and Secretary of the educational committee of the

Ambur synod. They have appointed 5th Respondent as correspondent of the Concordia Teacher Training Institute, Ambur. They further claim that

they have appointed 6th Respondent as the principal incharge after suspending the second Respondent. It is stated that they have no powers to

suspend the Principal or to claim any right of Management over the Teacher Training Institute. They have no power to appoint a new Principal and they have also no right to interfere with the administration of the Training School by the Petitioner's society. The second Respondent continues to be the principal and correspondent of the Concordia Teacher Training Institute, Ambur. On 02.05.1997, the fourth Respondent addressed a letter to the first Respondent stating that education committee of the Ambur synod has appointed fifth Respondent as the correspondent of the Concordia Teacher Training Institute and the first Respondent recorded and counter-signed the same. The said act of the first Respondent is without jurisdiction, is the grievance of the Petitioner therein. The act of the first Respondent has no connection with the earlier action and the same is contrary to the agreement and therefore mala fide. On the said basis, the fifth Respondent sent various communications to the various public Authorities including the Regional Council for Teacher Education, Bangalore claiming that he has been so recognised and approved as the correspondent of the Concordia Teacher Training Institute, Ambur. It is stated that eighth Respondent who was the principal of the District Institute for Education and Training (DIET) was well aware that the Petitioner-society is the educational agency of the Concordia Teacher Training Institute, Ambur and Respondents 3, 4 and 5 are not entitled to act on behalf of the said Teacher Training Institutions. The Petitioner came to know of the proceedings of the first Respondent only when one Walter Dhanasingh filed a suit in O.S. No. 154 of 1997 on the file of the District Munsif Court, Ambur seeking injunction against the second Respondent. The admission of the students in the Concordia Teacher Training Institute has to be completed before 14th April of every year and the list has also been submitted to the second Respondent. The first Respondent is only an examining body. In view of the order, Respondents 3 to 6 are attempting to mislead the public and they are seeking separate admission. They have also invited applications for the Institution. Their action is illegal. For the aforesaid reasons, the apex body has come to this Court for the reliefs stated above.

5. The 8th Respondent in this case has filed a counter affidavit where she admits that the second Respondent was functioning as the Principal of

Concordia Teacher Training Institute since 1984 and was also the Correspondent of the Teachers School. In para 7 of the counter, she has also

stated the circumstances under which she received an intimation letter from one Athisayanathan claiming himself as the Secretary of I.E.L.C. It has

appointed the fifth Respondent as the correspondent of the Concordia Teacher Training Institute, Ambur which is run by the minority Management

and therefore, the Principal of the DIET, Ranipet has no authority to approve the appointment and the approval is also unwarranted. Only because

she cannot approve the appointment, she has stated as ""recorded and counter-signed"". The allegation of mala fide is also disputed. She only

recorded and counter-signed and thereafter she did not issue any proceedings approving the said Correspondent and it would only show that she

has no part to play in the internal rivalry in the educational agency. She cannot be made responsible for the alleged acts of the Respondents 3 to 6.

The Court has to decide which is the educational agency.

6. W.P. No. 13418 of 1997 is filed by the education committee of Indian Evangelical Lutheran Church, Ambur Synod, represented by

Adhisayanathan. While narrating the facts, he has stated that Ambur Synod was denied to admit students to the Teacher Training Institute, because

by the impugned order, the Respondent therein directed the Petitioner not to admit students for the 1997-98 batch. The same is challenged as

illegal and void. The internal rivalry between the apex body Nathaniel and the Ambur Synod are also stated.

7. W.P. No. 285 of 1998 is challenging the order of the second Respondent who is the Director of Teacher Education Research and Training,

Chennai dated 5.12.97. In this case, the Principal of the DIET refused to approve the list submitted by the Petitioner therein which contains list of

students admitted for various reasons, the main reason being the Education Committee, Ambur synod is not the approved Educational Agency, but

the parent body of the IELC is the approved Educational Agency and the agreement is also executed through only apex body. The list is also

rejected on the ground that the students have been admitted without consideration of their qualifications and norms.

8. W.P. No. 1730 of 1998 is filed for the writ of certiorarified mandamus, calling for the records of the third Respondent dated 29.07.97 and to

quash the same, directing the third Respondent i.e. the Principal of the DIET to adjudicate the issue of correspondent ship in respect of the

Concordia Teacher Training Institute, Ambur and pass orders in accordance with law u/s 53A of the Tamil Nadu Recognised Private Schools

(Regulation) Act, 1973 and in the light of the guidelines issued by the Division Bench of this Court in Writ Appeal No. 978 reported in Ayyasamy

v. D.E.E.O., Madurai and two Ors. 1996 LW 567 Part 16 to 577. In that case the Petitioner is the Education Committee of Indian Evangelical

Lutheran Church, Ambur Synod. Admitting there is a dispute between the apex body and the Petitioner therein, it wanted the Principal of the DIET

to take a decision on the same. The impugned order is approving the appointment of S.C. Nathaniel, who is the Principal of the Ambur Concordia

Teacher Training Institute. Nathaneil is not a principal and he has been removed from the post and one Ranjan has been appointed in his place.

The action of the Principal of the DIET is challenged as one without jurisdiction.

9. W.P. No. 9426 of 1998 is filed by the Petitioner who is Concordia Teacher Training Institute, Ambur represented by its Correspondent S.C.

Nathaneil for the issue of a writ of mandamus, directing the Respondents 1 and 4 herein to accept and forward to the third Respondent the nominal

roll of students of the first and second year courses submitted by the Petitioner Institute for the year 1997-98 and consequently direct the third

Respondent to permit the students mentioned in the nominal roll to write their diploma in Teacher Education Examinations of the year 1997-98 and

pass a final order. In that case, the Petitioner is continuing as Principal from the year 1984 on the basis of the letter issued by one Ranjan.

According to the Petitioner therein Indian Evangelical Lutheran Church, the apex body is an educational agency and he has been appointed as the

Principal of that Agency. He has selected 40 students for the course and the same is also approved by the Principal of the DIET. But due to

internal rivalry, the; Principal is not allowing those students to write the examinations.

10. W.P. Nos. 9490 & 9491 of 1998 are filed by the students admitted by the Petitioner in W.P. No. 9426 of 1998 seeking permission of this

Court to allow them to write examinations and to direct the fourth Respondent who is the Principal of the fourth Respondent to send a commission

for assessing the internal marks of the Petitioners and consequently direct the third Respondent to permit the Petitioners to write the first year

examination of diploma in teacher education course for the year 1997-98 and publish the results.

11. I have already stated about the purpose of filing various Writ Petitions, one filed by the apex body and another filed by the Ambur synod

claiming itself as educational agency of Concordia Teacher Training Institute. According to the Ambur Synod, the apex body is only a supervising

body and they supervised the educational institute of the respective Synods. It is further stated that Ambur, Nagercoil and Trivandrum Synods

have to work within the framework of the Constitution of the apex body, but at the same time all these 3 Synods including IELC, Ambur Synod

are having autonomous power without ensuring the rights and privileges as per 6(6) page 5 of the byelaws of the Ambur Synod. According to the

Ambur Synod, the Concordia Teacher Training Institute is not the institution of the apex body and the apex body has also given salary as alleged.

From the beginning, the Teacher Training Institute was functioning under the Education Committee of the Ambur Synod and salary was paid by the

Educational Committee and teaching grant is given by the Government. According to the Petitioner, even Nathaniel has admitted in various letters

regarding the same. According to the Ambur Synod, Nathaneil is no longer Principal nor the Correspondent of the Teacher Training Institute and

he has no Authority to appoint staff and admit students of his own.

12. I heard the learned Counsel in detail. Before going into the merits and demerits of the contentions, it is only proper to scrutinies the history of

IELC and how it came to India. Narrating history will be necessary to consider as to who is the educational agency.

13. A Christian religious Organisation based in United States of America known as the Lutheran Church Missouri Synod, commonly known as

LCMS, set up several missions in various parts of the word including India to propagate the Christian faith and love through spiritual religious and

charitable activities. The India Mission of LCMS commenced functioning in India about a century ago and subsequently the same was registered

under the Societies Registration Act, 1860 under the name of Missouri Evangelical Lutheran Church, shortly known as MELIM. In pursuance of

its charitable and missionary objectives of spiritual love and goodwill, LCMS in the course of its mission in India not only established several

Lutheran Church congregations but also established through MELIM several other institutions such as hospitals, Educational Institutions for the

common man. One such institution established by Missouri Evangelical Lutheran Church is the Concordia Teacher Training Institute at Ambur in

the year 1926. The same was started to train both the Christians and non-Christians as teachers to work particularly in villages for the upliftment of

the downtrodden and under-privileged. With a view to locally manage the affairs of the Lutheran Church congregations and institutions were

established by LCMS in India, LCMS sponsored the formation of the India Evangelical Lutheran Church, shortly known as IELC in the year 1959

with membership of all its Lutheran Church congregations in India which was registered as a society under the Societies Registration Act, 1860

with its own Constitution and bye laws. It has got 3 Synods one at Ambur, second at Nagercoil and the third at Trivandrum. Each Synod has got

its own Constitution, but the same is subservient to the Constitution of the apex body which is known as IELC. As per the bye-laws of IELC, the

individual church-congregation is the primary unit of IELC. A Pastorate is a unit of one or more congregations in one area. A circle is a secondary

unit consisting of several pastorates situated within a geographical area. Five circles constitute a Synod for the purpose of edification, co-operation

and administration which function as constituent of IELC.

14. As per the bye-laws of EILC, for establishment of IELC Trust Association as well as the bye-laws of Association, the properties are to be

administered by a trust Association by name IELC Trust Association which is registered under the Companies Act. Hundred acres of landed

properties and buildings with the innumerable churches, Schools, Hospitals and other Institutions of IELC are located and are controlled by IELC

Trust Association. The land and buildings of the Concordia Teacher Training Institute, Ambur which were owned previously by LCMS also now

vest with the IELC Trust Association. Even though they have been separate synods, financial assistance also is given by the parent body.

15. The Concordia Teacher Training Institute, Ambur admits students from all the 3 synods for undergoing Teacher's Training course and it has

been recognised as a minority Teacher Training Institution. According to the apex body of IELC, this institute was not an institution or property under the jurisdiction and control of Ambur Synod and the financial assistance for this institution was all along been given only by IELC. The salaries of the staff and the administrative expenditure of the Concordia Teacher Training Institute were also fully subsidised by the apex body, IELC. I do not find till 1993 any dispute about the Management of any of these institutions. The dispute began only thereafter when various recognised Teacher Training Institutes came into existence. Some of those institutes were also derecognised by the Court and various institutions which are recognised were also in functioning properly. In fact some of the institutes got recognition by suppression of facts and most of them did not have the infrastructure facilities for running institutes. When this case came to the note of the Government, the Government issued Order describing stringent condition for continued recognition of the Teacher Training Institutes. Therefore the Concordia Teacher Training Institute, Ambur also lost its permanent recognition as the norms filed by it were not sufficient in accordance with new options by the conditions prescribed by the Government. The teacher Training Institute at Ambur faced the crisis and at that time it was also about to be derecognised. The apex body taken into consideration of the crisis and also taking interest of all the Lutheran Christians of the three synods, approached their parent body in U.S.A. and the apex body with their financial support implemented all the new norms and conditions stipulated by the Government such as providing in the Institution costly equipment like computers, audio visual equipment, public address systems, science apparatus, T.V., etc. and also setting apart 3 acres of land exclusively for the use of Concordia Teacher Training Institute, Ambur. Pursuant to the action taken by the apex body, the State Government recognised the Concordia Teacher Training Institute and original recognition was restored in 1995. After the recognition, the school also began to flourish. Various litigations also had to be faced thereafter and various Writ Petitions have been filed. Apart from these Writ Petitions, Civil suits also are pending in various Courts. Once there was a litigation, the Authorities did not know as to which is the recognised Educational Agency and the students were admitted by both sides. They were not allowed to sit for the examinations though the institutions are

recognised one. The intense rivalry of the Management has affected the education of the teacher trainees.

16. In one of the Writ Petitions which is filed in W.P. No. 1730 of 1998, the relief sought for is the Principal of the DIET has to decide who is the educational agency in accordance with the Section 53A of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973, I will take the said case as the main case for determining this issue.

17. By extracting the facts, I have already said the land and the property which originally belonged to LCMS is now vested in IELC Trust

Association, an Organisation under IELC to look after the land and properties of the Institutions. The agreement dated 2.5.95 was executed

between Indian Evangelical Lutheran Church, the Educational Agency of Concordia Teacher Training Institute, Ambur represented by Rev. J.

Isaac Moon, President of the IELC Trust Association and the Principal, District Institute of Education and Training at Ranipet. The genuineness of

this document is not denied by anyone. On the basis of this document, IELC, which is an apex body, is the recognised Educational Agency and the

property belonged to it is earmarked for the establishment and continuance of the Concordia Teacher Training Institute, Ambur. The same is also

signed by the Correspondent of the Concordia Teacher Training Institute, Ambur as a witness. The reason for executing the document is as per

G.O. Ms. No. 803 Education, Science and technology dated 16.09.94, stringent conditions were imposed for the continued recognition of

Teacher Training Institutes. At least 3 acres of land have to be earmarked for the establishment of the Teacher Training Institutes. It was the apex

body which agreed to transfer the land and earmarked the same for the Teacher Training Institution and the document is signed by the IELC Trust

Association. After satisfying the conditions as per revised norms, proceedings was issued by the Deputy Director of Teacher Education Research

and Training on 28.08.95 granting temporary recognition for this Institute. Before issuing this proceedings, (he Institute was inspected by the

Authorities who also perused the records submitted by the Correspondent, including the agreement executed by IELC with the Government.

Immediately thereafter, Rev. J. Isaac Moon, President of the Indian Evangelical Lutheran Church, who executed the document informed S.C.

Nathaniel that he is a Principal of the Teacher Training Institute and also a Correspondent with effect from 2.7.84. The person who declared that

Nathaniel is the Principal and continues as such, representing IELC executed the agreement with the Government. The National Council for

Teacher Education, the statutory body of the Government of India also thereafter recognised the Institute on 10.09.96. The certificate of the

recognition is also filed along with the typed set of papers. Isaac Moon also wrote to the Principal of the DIET that Nathaniel is the Principal and

Correspondent of this Institute and the list sent by him has to be approved and on receipt of the same, the Principal also approved and counter-

signed. As against this document in evidence, the Ambur body of the IELC has not produced any document to show that it was running Institute

and it had recognition at any point of time. In the various Writ Petitions filed by the Ambur Synod, they do not claim that the Government has

recognised them as an Educational Agency. So long as the apex body is recognised as an educational agency, what is the legal consequence. I do

not find any separate Statute concerning the establishment and administration of a Teacher Training Institute. But the principles enunciated in the

Tamil Nadu Private Schools (Regulation) Act and the Universities Act can be taken note of to a certain extent. One thing that is clear is that when

a Private Teacher Training Institute is to be established, it must have the approval of the Government and it must also be a recognised one.

Approval and recognition are given only to an Educational Agency. Permission is also granted for establishment of the Institution only to

Educational Agency. The power to manage is also given only to that Agency. The entire correspondence by the Government is only within the

Agency which takes the whole responsibility for the management of the Institution. It has to maintain the standard and if derecognition comes, it is

the Educational Agency that is affected. So, naturally, if the Government recognised a particular society or individual, or legal person as an

Educational Agency, that will have a great bearing in considering the merits of the rival contentions in this case. If the Educational Agency that has

to appoint the Principal and staff, the right of admission is given only to the Educational Agency and if a grant is given, that is also paid only to the

recognised Agency. So long as the recognition stands, the Government admits that a particular body is the recognised Agency, that alone has the

right to deal with the institution. In this case, I find that only the apex body is recognised by the Government. Certain legal rights follow once a person is recognised of the Educational Agency and the body is recognised of the Educational Agency. The Government also admit that apex body is an Educational Agency. But taking a document from it admitted that it is the Educational Agency and on that basis permit NCTE to grant recognition, the only conclusion that could be arrived is that the IELC, apex body is recognised Educational Agency. It is this Educational Agency which appointed Nathaniel as Principal and Correspondent of the training institute. Even though various documents have been filed by both sides, I do not think they are relevant so long as the recognition stands in the name of the apex body and the same is deemed as Educational Agency. Even though reliance has been placed on various litigation, I do not place much reliance on them also, Since the same is still pending consideration. In those cases, only interim orders have been passed and in some cases even it has not reached that stage. As against this vital document, I do not find any document worth mentioning produced by the Ambur Synod. Of course they have produced correspondence. How far it will take away the right of the apex body is not shown from any of those documents.

18. It is obvious to note that alter the recognition which is granted on the basis of the agreement, no other document has been produced to prove the fact that Ambur Synod had any claim. It would not have allowed the apex body to enter into an agreement with the Government and get the right of Educational Agency, in fact it had any earlier right. Till date, the Ambur Synod has not questioned the agreement and consequent recognition. That is a big circumstance against the Ambur Synod Learned Senior Counsel for the Ambur Synod represented that from the various correspondences, it could be seen that Ambur Synod was filing suits and Writ Petitions before this Court, getting orders in its favour etc. Even according to the apex body, the Ambur synod has something to say with the Management of the Educational Institution, though it is not an Educational Agency there is a board of education and the Principal has to be appointed by the Board in consultation with the Executive Committee and the Educational Committee of the Ambur synod. Merely because consultation is effected with the Ambur synod, that will not make the Ambur

synod an Educational Agency. It is also true that Nathaniel has also corresponded with the Educational Committee for the Ambur Synod. But that

will create any right to exclude the apex body. From these facts, it is clear that so long as the Government recognised the apex body as an

Educational Agency, no other body or Authority can claim the right of Management for the Institution. It is here Section 53A of the Private

Schools (Regulation) Act has to be considered. The learned Counsel for the Ambur Synod relied on the decision reported in Ayyasamy v. District

Educational Officer and 2 Ors. 1996 (1) Law Weekly 567. I do not think the said decision is anyway helpful to him. The Division Bench framed

guidelines for invoking powers u/s 53A of the Act, Guideline No. 5 will govern in this case. On the basis of the materials, the apex body is the

recognised Educational Agency and therefore it is not necessary for the Government to have recourse to Section 53A(2) of the Act. If the Ambur

synod feels that they have any right in Management and it is really the educational agency, it can resort to the remedy u/s 53A of the Act by filing a

Civil suit and have the matters settled by decree of Court. Of course, it has to follow the procedure as provided in Section 53A of the Act. In this

case, the State Government, the Principal of the DIET has not Mated that the apex body is not an Educational Agency. It even now recognises the

agreement and that subsequent appointment of the Principal Nathaniel has also been approved by the Principal of the DIET.

19. Once I hold that there is no necessity for the third Respondent to adjudicate the issue of the Correspondent ship in respect of the Concordia

Teacher Training Institute, Ambur and pass orders in accordance with law u/s 53A of the Act, it naturally follow that the said Writ Petitions are to

be dismissed. W.P. No. 1730 of 1998 is dismissed. In consequent thereof, W.P. Nos. 9426, 9490 & 9491 of 1998 are to be allowed. There will

be a direction against the Respondents in W.P. No. 9426 of 1998 to accept and forward the nominal roll submitted by the Principal i.e. Nathaniel

and the students admitted by him are declared eligible to sit for the examination. The Authorities are directed to permit the students included in the

nominal roll to write examination and they are also directed to publish the results and issue diploma certificates. W.P. Nos. 9490 & 9491 of 1998

are filed by the students, who were admittedly admitted by Nathaniel, whose appointment is found to be valid. Naturally those Petitioners also are

entitled to sit for the examination and have the results declared. There will also be a direction against the Principal of DIET to inspect the Institution

for the purpose of internal assessment.

20. Though the Writ Petitioner moved before this Court in July, 1998 seeking permission to write the examination, the Court did not permit the

same. It is only proper on the part of the Respondents to have supplementary examination for these Petitioners who are students from recognised

Institution, only due to rivalry between the Management, the students admitted have become victims. The students should not suffer for that reason

and there will be direction to hold a supplementary examination. I direct Respondents to hold supplementary examination at the earliest at any rate

before December, 1998.

21. In W.P. No. 285 of 1998, the Petitioner which is Ambur synod challenges the order dated 5.12.97. In view of my finding that it is not an

Educational Agency, nothing survives in this Writ Petition and the Writ Petition is dismissed. The order of the Principal, DIET is confirmed. The

students who were admitted by the Ambur Synod, which is the subject matter of the impugned order, are not entitled to write examination.

22. W.P. No. 13418 of 1997 also does not survive, once I have taken a decision about the educational agency. The main argument of the learned

Counsel for the Petitioner is that the order is in violation of the principles of natural justice. That contention cannot be accepted. The Authorities are

not entitled to admit the students for the examination which was done by unrecognised Educational Agency. In fact by giving such direction, the

educational Authorities acted in time and prevented the unlawful admission in the said institution. The said Writ Petition is also dismissed.

23. What remains is W.P. No. 10486 of 1997 which is filed by the apex body challenging the proceedings of the first Respondent dated 2.5.97. I

do not think any further order is required in this case, since in the counter affidavit of the Government it is stated that they have not passed any

order when they received letter from one Ranjan. They simply recorded and counter-signed the same. It is clear from the counter affidavit that the

Principal of the DIET has also not interfered or diluted the right of the apex body in any way. But I only declare that the proceedings of the

Principal of the DIET dated 2.5.97 will not affect the right of the apex body the

educational agency in managing the institutions including

Management of Concordia Teacher Training Institute, Ambur and the Principal appointed by it will continue as the Principal and manage the

Institution. The said Writ Petition is disposed of as above.

24. In the result, W.P. Nos. 9426, 9490 and 9491 of 1998 are allowed as indicated above. W.P. No. 10486 of 1997 is disposed of with a

declaration that the proceedings of the Principal, DIET dated 2.5.97 will not in any way affect the right of the Educational Agency i.e. Indian

Evangelical Lutheran Church, as the Educational Agency of Concordia Teacher Training Institute, Ambur in Managing and administering the said

Institution and also admitting the students and appointing the staff. The above apex body is declared as an Educational Agency. W.P. Nos. 13418

of 1997, 285 & 1730 of 1998 are dismissed. Consequently, the connected W.M. Ps. in all the Writ Petitions are closed. There will be no order as

to posts.