



W.P.(MD) No.12631 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :13.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.12631 of 2016

Private Industrial Training
Institutes Under Craftsmen Training
Scheme Welfare Association (PITIUCTSWA),
Office at AGES ITI, Sankarankoil Main Road,
Tirunelveli District.
Rep. by its President

... Petitioner

Vs.

- 1.Secretary to Government,
Labour and Employment Department,
Fort St.George,
Chennai - 9.
- 2.Secretary to Government,
The Adi dravidar and Tribal Welfare Department,
Fort St.George, Chennai - 9.
- 3.Director,
Employment and Training,
Guindy, Chennai - 28.
- 4.Director,
The Adi Dravidar and Tribal Welfare,
Chepauk, Chennai - 5.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to extend the benefits of G.O.Ms.No.6, dated 09.01.2012 and G.O.Ms.No.92, The Adi Dravidar and Tribal Welfare Department, dated 11.09.2012 to the Adi dravidar students studying in private ITI's and Industrial Schools on the petitioner's representation dated 05.06.2016.

For Petitioner :Mr.S.Venkatesh
For Respondents :Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

By this writ petition, the petitioner Association seeks a direction to the respondents to extend the benefits of two Government Orders, namely G.O.Ms.No.6, dated 09.01.2012 and G.O.Ms.No.92, the Adi Dravidar and Tribal Welfare Department, dated 11.09.2012, to students belonging to the Adi Dravidar community and studying in private Industrial Training Institutes (ITIs) and Industrial schools.

2. The petitioner states that it is an association formed for the welfare of students studying in private ITIs. According to the petitioner, the



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above mentioned Government Orders are applicable to Adi Dravidar students studying medicine, engineering, arts and science, law and technologies. Therefore, the benefit of these Government Orders should be extended to Adi Dravidar students studying in private ITIs. After submitting a representation dated 28.04.2016 and a further representation dated 05.06.2016, the present writ petition has been filed.

3. A counter was filed on behalf of respondents 1 and 3 by the Deputy Secretary to Government, Labour and Employment Department. In paragraph 4 of the said counter, it was stated, in relevant part, as under:-

"... The Government do not have any specific intention to exclude the trainees of Industrial Training Institutes and Industrial Schools to enjoy the benefits of this scheme which are controlled by the Directorate of Employment and Training (i.e.) 3rd respondent."

In paragraph 8, it is stated that the third respondent has submitted a proposal on 05.09.2017 for fixation of fees by the first respondent for students studying in self-financing private industrial schools. Therefore, the



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respondents request time to fix the fees before extending the benefit of the Government Orders.

4. Learned Special Government Pleader has placed before me a communication dated 11.03.2023 enclosing a factual report submitted by the Director of Adi Dravidar Welfare. In the said report, it is stated that fee fixation should be done by the government for courses operated in self-financing Industrial Training Institutes and Training Institutes and that appropriate action to extend the benefit of the Government Orders would be taken thereafter. In light of the above, learned Special Government Pleader seeks reasonable time to complete this exercise.

5. By taking into consideration the counter and the report of the Adi Dravidar Welfare Department, W.P.(MD)No.12631 of 2016 is disposed of by directing the respondents to complete fee fixation and all other necessary action for purposes of extending the benefit of G.O.Ms.No.6, dated 09.01.2012 and G.O.Ms.No.92, The Adi Dravidar and Tribal Welfare Department, dated 11.09.2012, to students of the Adi Dravidar community



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who are studying in private Industrial Training Institutes. The above exercise shall be completed within a maximum period of six months from the date of receipt of a copy of this order. There shall be no order as to costs.

13.03.2023

NCC :No
Internet :Yes
Index :No
PKN

To

- 1.Secretary to Government,
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SENTHILKUMAR RAMAMOORTHY, J.

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