



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.10.2015

Coram
THE HONOURABLE MR. JUSTICE T. RAJA

WEB COPY

W.P. (MD) No. 18285 of 2015
and
M.P. (MD) No. 1 of 2015

The Chairman
Shanmuga Educational Trust
2/52-A, Alangulam, Nochikulam Post,
Sankarankoil - 627 755,
Tirunelveli District

: Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Higher Education,
Fort St. George, Chennai - 600 009.

2. The Director of Collegiate Education,
College Road,
Chennai - 600 006.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents herein to consider and pass orders forthwith on the petitioner's application to them, dated 31.12.2012 together with the reminder thereto dated 27.08.2012 seeking permission for starting the 'Shanmuga College of Arts and Science' in the village at Poigaimedu, Sankarankovil Taluk, Tirunelveli District.

For Petitioner : Mr. Isaac Mohanlal
For Respondents : Mr. T. S. Mohammed Mohideen
Additional Government Pleader

O R D E R

The Chairman of Shanmuga Educational Trust, situated at Alangulam, Nochikulam Post, Sankarankoil, after making an application on 31.12.2012, to the respondents, seeking permission to establish an Arts and Science College, has come to this Court, seeking a Mandamus, directing the respondents to consider the application, dated 31.12.2012 together with reminder, dated 27.08.2015.

<https://hcservices.ecourts.gov.in/hcservices/>
2. Mr. T. S. Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents.



3. The petitioner being a registered Trust with objects to establish, maintain, develop educational, health, technical and other institutions at various levels for the Social and Educational uplift of the people, more particularly, for the benefit of the poor in the rural area, has submitted an application on 31.12.2012 to the respondents, seeking permission to establish an Arts and Science College at Poigaimedu in Sankarankovil Taluk, Tirunelveli District. It is also the claim of the petitioner that the petitioner Trust has fulfilled all the requisite infrastructure facilities with adequate buildings in a sprawling campus for class rooms, library, laboratory, offices, dining, recreational areas and hostel accommodation, as prescribed under the Rules. This is in addition to the land and place owned by the Trust, which is the educational agency. Even after submitting the application along with application fee of Rs.20,000/- in the pro-forma prescribed, on 31.12.2012 along with an Endowment fund of Rs.20,00,000/- by depositing the said amount with the Tamil Nadu Power Finance and Infrastructural Development Corporation Limited, in the Joint Account of the 2nd respondent, the Director of Collegiate Education, Chennai, who is the Educational Agency, finding no response has submitted a reminder on 27.08.2015, seeking permission for starting the 'Shanmuga College of Arts and Science' in the above said village viz., Poigaimedu, in Sankarankovil Taluk, Tirunelveli District. Again finding no response whatsoever, the petitioner was constrained to come to this Court with the present writ petition, seeking a direction under Article 226 of the Constitution of India.

4. Since the application dated 31.12.2012 filed by the petitioner seeking permission to establish the 'Shanmuga College of Arts and Science' in the village at Poigaimedu, Sankarankovil Taluk, Tirunelveli District, which is considered as one of the backward areas in the State, is pending for quite long time, this Court finds no impediment to direct the respondents to consider the same. Accordingly, the respondents are directed to consider the application of the petitioner, dated 31.12.2012 and the reminder dated 27.08.2015, and pass appropriate orders on the same on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writ)



To

1.The Secretary,
The State of Tamil Nadu,
Department of Higher Education,
Fort St.George, Chennai - 600 009.

2.The Director of Collegiate Education,
College Road,
Chennai - 600 006.

+1cc to M/S. Isaaac Mohanlal, Advocate SR NO.62823

+1cc to Special Government Pleader Sr No.63143

W.P. (MD) No.18285 of 2015

27.10.2015

RG.MP/SAR-II

17.11.2015

3P/5C.