

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.13296 OF 2015

ORDER:

The writ petition is filed questioning the inaction on the part of the respondents in not passing the orders on the application dated 07.10.2014 submitted by the petitioner's Society for grant of Minority Status Certificate to the petitioner's proposed institution i.e., Sai Sravani College of Elementary Education, Medarametla, Korsipadu Mandal, Prakasam District, as illegal and arbitrary.

The brief facts are that the petitioner's Society viz., Little Flowers Educational Society (Regd.No.216/2013), Medarametla, proposed to establish the D.Ed., College viz., Sai Sravani College of Elementary Education, Medarametal. Therefore, the petitioner's Society made an application dated 07.10.2014 in the requisite proforma Form-I along with requisite fee of Rs.1,000/- by way of D.D.No.870693, dated 25.08.2014 to the 1st respondent with a request to grant Minority Status Certificate for the proposed D.Ed., College. Having received the same, the 1st respondent forwarded the same to the 2nd respondent by proceedings dated 17.10.2014 directing to furnish the inspection report along with recommendations, but so far the 2nd respondent has not taken any steps in the matter till date. It is further submitted that unless the Minority Status is granted to their institution, the institution will not get the recognition from the NCTE as a Minority Educational Institution and there will be a hardship and loss the academic year to the Christian Minority Students. It is further submitted that a Division Bench of this Court in W.A.No.1259 of 2005, dated 07.07.2005 directed the respondents to complete the necessary formalities within a week and settle the claim of the Minority Institution, and further even as per the G.O.Ms.No.1 Minorities Welfare (M&R) Department dated 16.01.2004 and as per the guidelines Sub-Rule 2 of Rule IV, the competent authority shall dispose off the application for Minority Status within

30 days from the date of receipt of the Inspection Report from the concerned Head of the Department, but the respondents have not followed the same and kept their application pending since long. Hence, the present Writ Petition.

Heard the learned counsel for the parties.

Application of the petitioner appears to be pending before the respondent authorities concerned, for grant of Minority Recognition Certificate. The petitioner's Society submits that they have started the institution as a minority institution and are not prepared to admit the students if their status as a minority institution is not recognized. In these circumstances, the 2nd respondent is directed to consider the application dated 07.10.2014 of the petitioner, which was forwarded by the 1st respondent vide proceedings dated 17.10.2014, for grant of Minority Recognition Certificate in accordance with law, within one week from the date of this Order. In the mean time, students shall not be allotted to the petitioner's college till its application regarding claim of the minority institution is settled.

With the above observation, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions pending, if any, shall also stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 30.04.2015

Ssv.