

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.1250 of 2016

M.Kalai Selvan

... Petitioner

vs.

1. The State of Tamil Nadu,
rep. by its Secretary,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.
2. The Director,
Directorate of Adi-dravidar and Tribal Welfare,
Chepauk, Chennai 600 005. ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider and disburse the scholarship amount sought by the petitioner by an application dated 13.10.2015 under the Post Matric Scholarship Scheme before completion of the course.

For Petitioner : Mr.K.C.Karl Marx

For Respondents : Mrs.P.Rajalakshmi, GA

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider and disburse the scholarship amount sought by the petitioner by an application dated 13.10.2015 under the Post Matric Scholarship Scheme before completion of the course.

2. It is the case of the petitioner that he completed his 10th standard in March 1999 and 12th standard in 2002. He joined Commercial Pilot Training in the Madras Flying Club Ltd. and completed the course in the year 2014 and has been issued with commercial Pilot license. Thereafter, the petitioner applied for the Airbus A-320 (Ab-initio) Type rating course for External candidates in the Air India Ltd, Central Training Establishment, Simulator Complex, Hyderabad and the course fee for the same is Rs.30,15,711/- in addition to other

fees, such as, hostel fee, exam fee etc. The course commenced from 21st September 2015 and till date, the petitioner paid the total fee of Rs.14,80,305/- by obtaining hand loans, due to which, his family has become hugely indebted.

3. It is the further case of the petitioner that since the Government is awarding Post Matric Scholarship to the scheduled caste students who pursue higher studies, he made an application dated 13.10.2015 to the second respondent seeking post matric scholarship. As he wrongly mentioned the date of completion of the course in the said application, the petitioner made a representation dated 28.11.2015 to the second respondent rectifying the same. Thereafter, the petitioner came to know that the second respondent has recommended his case for grant of scholarship and forwarded the same to the first respondent. However, no order has been passed till date by the first respondent. Therefore, the petitioner has filed the present writ petition for the above stated relief.

4. Learned counsel for the petitioner submitted that the second respondent has already recommended for the grant of scholarship to the petitioner and also forwarded the same to the first respondent. It is further submitted that the course is going to be concluded in February 2016 and in such circumstances, unless the scholarship is granted, the petitioner would not be able to pay the full fees and participate in the further training.

5. Heard the learned Government Advocate appearing for the respondents.

6. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the claim made by the petitioner, this Court directs the first respondent to consider the application of the petitioner dated 13.10.2015 by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the first respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly. No costs.

rk

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.
2. The Director,
Directorate of Adi-dravidar and Tribal Welfare,
Chepauk, Chennai 600 005.

+ 1 cc to Mr.K.C.Karl Marx, Advocate SR 6656

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