

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.12729 of 2016

M.Kalai Selvan

... Petitioner

Vs.

1.The State of Tamilnadu,
Rep. by its Secretary,
Adi-Dravidar and Tribal
Welfare Department,
Secretariat, Chennai - 600 009.

2.The Director,
Directorate of Adi-Dravidar
and Tribal Welfare,
State of Tamilnadu,
Chepauk, Chennai - 600 005.

3.The Director,
Ministry of Social Justice
and Empowerment,
Government of India,
New Delhi - 110 001.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to disburse the scholarship amount to the petitioner as per the recommendation of the first respondent made in letter No.19817/ADW-3/2015-1 dated 11.02.2016 within a specified time frame fixed by this Hon'ble Court.

For Petitioners: Mr.K.C.Karl Marx

For Respondents: Mr.M.Dig Vijaya Pandian for R1 and R2
Additional Government Pleader
Mr.B.Rabu Manohar for R3
SCGPC

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the third respondent to disburse the scholarship amount to the petitioner as per the recommendation of the first respondent made in letter No.19817/ADW-3/2015-1 dated 11.02.2016 within a specified time frame fixed by this Court.

3.In the petition it has been stated that the petitioner has completed X Standard in March 1999 and XII Standard in 2002. Thereafter, he joined Commercial Pilot Training in the Madras Flying Club Limited and completed the course in the year 2014 and was issued with Commercial Pilot Licence. He decided to proceed with his studies further and hence, he applied for the Airbus A-320 (Ab-initio) Type rating Course for external candidates in the Air India Limited, Central Training Establishment, Simulator Complex, Hyderabad since it is very essential to get employment as a Co-Pilot in aircrafts.

4.It is further stated that the course fees for the A-320 training is Rs.30,15,711/- in addition to that he has to pay hostel fees and Type Rating Training Organisation - TRTO Exam fees and Rs.20,000/- towards endorsement. The course commenced on 21.09.2015. The petitioner has paid a total fees of Rs.14,80,305/- by obtaining hand loans due to which his family has become hugely indebted.

5.It is further stated that the Government is awarding post Matric scholarship to the Scheduled Caste students pursuing higher studies and hence, the petitioner gave an application for availing the Post Matric Scholarship on 13.10.2015 to the second respondent. He also sent a reminder letter dated 28.11.2015. Thereafter, he came to know that the second respondent has recommended for grant of scholarship and forwarded the same to the first respondent, but the first respondent has not processed his application. Hence, he filed W.P.No.1250 of 2016 seeking direction to the first respondent to disburse the scholarship amount and this Court vide order dated 02.02.2016 has directed the first respondent to consider the application of the petitioner dated 13.10.2015 on merits. Thereafter, the petitioner made representation to the respondents 1 and 2 along with a copy of the order dated 02.02.2016 and on receipt of the order copy, the first respondent vide letter No.19817/ADW-3/2015-1 dated 11.02.2016 has recommended to the third respondent for sanction of the scholarship, but till date the third respondent has not taken any action on the recommendation sent by the first respondent. Hence, the petitioner has come forward with this petition.

6.Heard the submissions made on either side.

7.This Court without going into the merits of the claim made by the petitioner, directs the petitioner to give a fresh representation along with a copy of this order to the third respondent within a period of one week from the date of receipt of a copy of this order and the third respondent on receipt of the same, is directed to consider the same and pass appropriate orders with regard to the disbursement of scholarship amount to the petitioner in the light of the recommendation of the first respondent in letter No.19817/ADW-3/2015-1 dated 11.02.2016, within a period of two weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai - 600 009.
- 2.The Director,
Directorate of Adi-Dravidar and Tribal Welfare,
State of Tamilnadu,
Chepauk, Chennai - 600 005.
- 3.The Director,
Ministry of Social Justice and Empowerment,
Government of India,
New Delhi - 110 001.

+1cc to Mr.K.C. Karl Marx, Advocate, S.R.No.21376
+1cc to Mr.B. Rabu Manohar, Advocate, S.R.No.21248
+1cc to the Government Pleader, S.R.No.21757

GJ(CO)
EU(7/04/2016)

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