

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24000/2016 & WMP.No.20523/2016

St.John Sangam Trust
rep.by its Chairman & Managing
Trustee, Perambalur-621 212,
Perambalur District.

Petitioner

Versus

1.The Secretary to Government
State of Tamil Nadu
Agriculture Department
Secretariat, Chennai 600 008.

2.The Director of Agriculture
Chepauk, Chennai-5.

3.The Registrar
Tamil Nadu Agricultural University
Coimbatore, Coimbatore District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to declare the Agricultural College, run by the petitioner / Trust, at Valikandapuram, Veppanthattai Taluk, Perambalur District, as Minority Institution, by considering the representation made by the petitioner dated 01.10.2015 and confer all the consequential benefits.

For Petitioner : Mr.C.Selvaraju, SC for
M/s.C.S.Associates

For RR 1 & 2 : Mr.R.Vijayakumar, AGP

For R3 : Mr.Abdul Saleem

ORDER

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

2 The petitioner / Trust would state that it is registered under the Indian Trust Act and created mainly for promoting Christianity, imparting education not only to the people of Christian religion but also people of other religions. The petitioner / Trust was also declared as a Minority Institution vide judgment and decree dated 08.04.1987 made in OS.No.239/1984 on the file of the Court of District Munsif, Perambalur. It is further stated that the petitioner / Trust is running very many institutions including Engineering Colleges, Higher Secondary

Schools, Pharmacy Colleges etc., and in respect of the Engineering Colleges run by the petitioner / Trust, it has been declared as Minority Institutions. The grievance expressed by the petitioner is that it had approached the Government to declare the Agricultural College run by the Trust as Minority Institution. However, the Government insisted that an application must be routed through the 3rd respondent / University and accordingly, it was done and the 3rd respondent, after verification of all the documents, had forwarded the papers to the 2nd respondent and the 2nd respondent is still keeping the papers pending, without passing any orders and as per normal course, after the recommendation, the papers should be forwarded to the Government, who shall consider and pass appropriate orders.

3 Mr.C.Selvaraju, learned Senior counsel appearing for the petitioner has drawn the attention of this Court to the typed set of papers and would submit that the petitioner / Trust in this regard, had submitted that with regard to the disposal of the application submitted for declaring the Agricultural College run by the petitioner / Trust as Minority Institution, the petitioner / Trust has submitted a representation dated 01.10.2015 to the 3rd respondent, followed by the reminders dated 16.04.2016 and 09.06.2016 and though after verification, the 3rd respondent / University has forwarded the papers to the 2nd respondent, who in turn, has to forward the same to the 1st respondent, has kept the papers on his file and therefore, the petitioner is constrained to approach this Court by filing the present writ petition.

4 This Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 and 2 ; and Mr.Abdul Saleem, learned counsel who accepts notice on behalf of the 3rd respondent.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 2nd respondent to act on the recommendation of the 3rd respondent and if the papers are otherwise in order, shall forward the same to the 1st respondent, within a period of three weeks from the date of receipt of a copy of this order and the 1st respondent, on receipt of the said proposal from the 2nd respondent, is directed to consider the same on merits and in accordance with law and pass appropriate orders within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner / Trust.

6 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

1.The Secretary to Government
State of Tamil Nadu
Agriculture Department
Secretariat, Chennai 600 008.

2.The Director of Agriculture
Chepauk, Chennai-5.

3.The Registrar
Tamil Nadu Agricultural University
Coimbatore, Coimbatore District.

+1 cc to M/s.C.S.associates,sr.39306

+1 cc to Government Pleader,sR.39352.

vs (co)
krd 20/7

W.P.No.24000/2016

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