

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.3958 of 2016

The Matheri Teacher Training Institute,
rep. by its Correspondent,
P.G.Jayapathi

... Petitioner

vs.

1.The State of Tamil Nadu,
rep. by its Chief Secretary,
Fort St. George, Chennai-9.

2.The District Collector,
Sathuvachary,
Vellore District, Vellore.

3.The Director of Adi Dravidar Welfare,
Chepauk, Chennai-5.

4.The Adi Dravidar Welfare Officer,
O/o.the Adi Dravidar Welfare Office,
Collectorate, Vellore-9.

... 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 the petitioner's representations dated 4.7.2015, 31.7.2015 and 27.12.2015 and thereby direct the respondents to grant the educational fees and scholarship to the 70 students belonging to the Schedule Caste and Schedule Tribe in the petitioner's Matheri Teacher Training Institute without any further delay.

For Petitioner : Mr.A.Rajesh Kanna

For Respondents : Mr.S.Pattabiraman,
Government Advocate.

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider their representations dated 4.7.2015, 31.7.2015 and 27.12.2015 and thereby direct the respondents to grant the educational fee and scholarship to the 70 students belonging to Schedule Caste and Schedule Tribe in the petitioner's Matheri Teacher Training Institute without any further delay.

3. The case of the petitioner, in brief, is as follows:-

(a) The petitioner institution namely Matheri Teacher Training Institute was registered on 23.12.1996 before the office of the Sub Registrar, Kaveripakkam vide document No.13/1996. The Regional Director, National Council for Teacher Education, Southern Regional Committee, by his order dated 6.11.2004 granted recognition for elementary course from the academic session 2004-2005 for an intake of 50 students and thereafter, the present students' approval was granted for the year 2012-13, 2013-14 and 2014-15.

(b) Right from the date of permission, the petitioner institution is running in their permanent building. Pursuant to their request on 13.6.2005, the Director of Teacher Education Research and Training, Chennai, by his order in RC No.1248/C1/2005, granted staff approval. Accordingly, the petitioner institution is running with full fledged manner. The Regional Director, by his letter dated 23.8.2007, directed that the petitioner institution shall be inspected by a committee of experts deputed by their office to assess and ascertain that it meets with the norms and standards of NCTE.

(c) Pursuant to the recognition, the petitioner institution admitted the students in Diploma in Teacher Education, which is for two years. The respondents have also granted education fee and scholarship to the Schedule Caste and Schedule Tribe students through the second respondent and on receipt of the same, the petitioner institution disbursed the same to the students and the same was informed to the respondents through online and was also informed to the second respondent through their letter dated 18.9.2013.

(d) As per the order of the respondents, which was published in 'Dinamalar Newspaper' on 29.6.2013, the educational fee should not be collected from Schedule Caste and Schedule Tribe students and self financed universities can receive the educational fee for the Schedule Caste and Schedule Tribe students from the Adi Dravidar Welfare Officer. Now, the educational fee and scholarship for 70 Schedule Caste and Schedule Tribe students were not paid by the Adi Dravidar Welfare Department. One of the students by name Sumithra has given a complaint to the second respondent on 8.9.2014 stating that the Adi Dravidar Welfare Officer has not granted the educational fee and scholarship and the said complaint was taken on file as Complaint No.AA/14/15792 by the second respondent.

(e) In the State of Tamil Nadu, the petitioner institution is the only institution who are giving education to the Schedule Caste and Schedule Tribe students without collecting any single paise from them as educational fee and the details of the same are as follows:-

(1)	2012-2013	-	8 students for the II Year.
(2)	2012-2013	-	6 students for the I year
(3)	2013-2014	-	6 students for the II year
(4)	2013-2014	-	46 students for the I year
(5)	2014-2015	-	4 students for the II year

Totally, there are 70 students. Though the students have completed their course, till date, the educational fee and scholarship granted to them as per G.O.Ms.No.92 dated 11.9.2012 were not given. Now, the 70 students are entitled to educational fee and scholarship from the respondents. In this regard, the petitioner institution sent several representations dated 4.7.2015, 31.7.2015 and 27.12.2015 to the respondents. But, till date, no action was taken on the said representations. Hence, the petitioner institution has come up with the present writ petition for the relief set out earlier.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim made by the petitioner, this Court directs the first respondent to consider the

representation of the petitioner dated 27.12.2015 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Chief Secretary,
State of Tamil Nadu,
Fort St. George, Chennai-9.
- 2.The District Collector,
Sathuvachary,
Vellore District, Vellore.
- 3.The Director of Adi Dravidar Welfare,
Chepauk, Chennai-5.
- 4.The Adi Dravidar Welfare Officer,
O/o.the Adi Dravidar Welfare Office,
Collectorate, Vellore-9.

+1cc to Mr.Rajeshkanna, Advocate, S.R.No.7050
+1cc to the Government Pleader, S.R.No.7245

W.P.No.3958 of 2016

kji (CO)
srg (18/02/2016)

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