



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.10398 of 2016

and

W.M.P (MD) No.8106 of 2016

K.Arumugam

..Petitioner

Vs

1.The Secretary to Government,
Department of Higher Education,
Secretariat, St.George Fort,
Chennai-9.

2.The Joint Director,
College Education Department,
Zonal Office,
Madurai - 625 020.

3.The Principal,
Sri Meenakshi Government College for Women,
Old Kalpalam Road,
Goripalayam,
Madurfai-2.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 from cancelling the admission to the Petitioner's daughter, namely Aishwarya Caroline in B.A English under Graduation course for the academic year 2016-17.

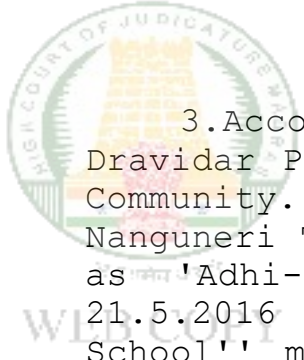
For Petitioner :M/s.R.Karunanidhi

For Respondents :Mr.N.S.Karthikeyan
Addl.Govt.Pleader

ORDER

Heard both sides.

<https://hcservices.ecourts.gov.in/hcservices/>
By order of both sides, the main Writ Petition itself is taken up for final disposal.



3. According to the Petitioner, he belongs to 'Hindu Adi-Dravidar Parayan' Caste which comes under the Scheduled Caste Community. The stand of the Petitioner is that the Tahsildar of Nanguneri Taluk had issued a Community Certificate to his daughter as 'Adhi-Dravidar'. But in the Transfer Certificate, dated 21.5.2016 issued by 'The Noyes Matriculation Higher Secondary School' mentions the caste name of the Petitioner's daughter as 'Hindu Parayan'. The Third Respondent/College Authority had given admission on 9.10.2016 to the Petitioner's daughter for the course of 'B.A.English' for the academic year 2016-2017. In spite of it, the Third Respondent had directed the Petitioner to produce a new Community Certificate within a period of one week as 'Hindu Parayan' to his daughter.

4. It is not in dispute that the Petitioner's representation, dated 10.6.2016 addressed to the respondents 1 to 3 praying for issuance of Community Certificate to his daughter is pending as on date and the same is not yet disposed of.

5. Considering the fact that the Petitioner's representation, dated 10.6.2016 addressed to the Respondents 1 to 3 is pending as on date, this Court, at this stage, without expressing any opinion on the merits and contents of the representation so made, in the interest of justice, directs the Respondents 1 to 3 to look into the representation of the Petitioner, dated 10.6.2016 and dispose of the same within a period of ten days from the date of receipt of a copy of this order. The Respondents 1 to 3 are directed to pass a reasoned speaking order on merits (of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit). The Petitioner is directed to lend his assistance and co-operation to the Respondents 1 to 3 in disposing of his representation, dated 10.6.2016. It is needless for this Court to make a significant mention that in case, the Respondents 1 to 3 require copies of relevant documents/records, then it is incumbent on the part of the Petitioner to supply the same to them, so as to enable them to dispose of his representation, dated 10.6.2016 in a complete and comprehensive manner and also to give a quietus in the subject-matter in issue.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/



To

1.The Secretary to Government,
Department of Higher Education,
Secretariat, St.George Fort,
Chennai-9.

2.The Joint Director,
College Education Department,
Zonal Office,
Madurai - 625 020.

3.The Principal,
Sri Meenakshi Government College for Women,
Old Kalpalam Road,
Goripalayam,
Madurfai-2.

+1cc to Mr.R.Karunanidhi, Advocate Sr.No.30086

SH:AA1-MPA:SAR I:22.06.2016:3P/5C

W.P (MD) No.10398 of 2016
and
W.M.P (MD) No.8106 of 2016

14.06.2016