

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43678 of 2016

ORDER:

This writ petition is filed seeking to declare the action of the respondents in not passing the orders on the application, dated 05.05.2015, submitted by the petitioner society for the grant of Minority Status Certificate to the petitioner proposed institution i.e., Mynoddin Law College, Giddalur, Prakasam District, as illegal and arbitrary and consequently direct the 1st respondent to grant the Minority Status Certificate to the petitioner proposed institution in pursuance of the application submitted by the petitioner society, dated 05.05.2015.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner society proposed to establish the Law College and that the petitioner society made an application to the respondents for grant of Minority Status Certificate for Law College on 05.05.2015 in the requisite proforma Form-I along with payment of requisite fee of Rs.1,000/- vide D.D.No.445252, dated 05.05.2015, and the same was received by the respondents. It is the further case of the petitioner that in pursuance of their application, dated 05.05.2015, the 1st respondent referred the matter to the 2nd respondent vide Memo, dated 23.07.2015, and requested to furnish the inspection report along with the required documents and his specific recommendations in the matter for taking further necessary action in the matter, but the 2nd respondent has not taken any action.

Learned counsel for the petitioner submitted that as per the guidelines of Sub-Rule 2 of Rule IV of G.O.Ms.No.1, Minorities

Welfare (M&R) Department, dated 16.01.2004, the competent authority shall dispose off the application for Minority Status within 30 days from the date of the receipt of the Inspection Report from the concerned Head of Department, but the respondents have not followed the same and kept their application pending since long.

Considering the grievance of the petitioner and the submissions of the learned counsel for the petitioner, the 2nd respondent is directed to consider the application, dated 05.05.2015, of the petitioner, which was forwarded by the 1st respondent vide Memo, dated 23.07.2015, for grant of Minority Recognition Certificate, in accordance with law, and pass appropriate orders, as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 16th December, 2016

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