

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.9763 of 2016

ORDER:

The prayer of the petitioners in this case is as under:

“The Hon’ble Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of ‘Writ of Mandamus’ declaring the action of the respondents in not enhancing the Monthly Maintenance Charges of students who are staying in College Attached Hostels(CAH) on par with the students of Department Attached Hostels(DAH) as being illegal, arbitrary, unconstitutional and discriminatory and consequently direct the respondents to forthwith enhance the Monthly Maintenance Charges of students of College Attached Hostels on par with the students of Department Attached Hostels and declare that G.O.Ms.No.40 Dated 08.12.2012 would apply in respect of students of College Attached Hostels and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

It appears that the representations made by the petitioners are still under consideration before the authorities. Thereunder, the petitioners seem to have sought parity between Attached Hostels and Department Attached Hostels in the context of G.O.Ms.No.40, Social Welfare (SW.Edn.2) Department, dated 08.12.2012. The State is yet to apply its mind to the representations made by the petitioners in this regard. It is therefore premature at this stage for this Court to entertain this writ petition for adjudication on merits.

The writ petition is accordingly disposed of directing the State to consider the representations made by the petitioners in accordance with law and take a decision thereon. In the event the request of the petitioners for parity is rejected, the reasons therefor shall be duly recorded and communicated to the petitioners. This entire exercise shall be completed expeditiously and in any event, not later than eight (8) weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:28.03.2016

GJ