

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2017

CORAM:

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.5569 of 2017

and

W.M.P.Nos.5923 & 5924 of 2017

Billgates College of Education,
Run by Sri Venkateswara Educational Trust,
Rep. by its Correspondent P. Punniyakotti,
Gengavaram Kanakkankuppam Post,
Gingee Taluk - 604 151,
Villupuram District,
Tamil Nadu

..Petitioner

vs.

1. The Director,
Aadidraavidar & Tribal Welfare Department,
Ezhilagam,
Chepauk,
Chennai - 600 005.

2. The District Aadidraavidar and
Tribal Welfare Officer,
Villupuram,
Villupuram District.

...Respondents

Writ Petition filed under Article 226 of Constitution of India seeking to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent R.C.No.M4/17821/2013 dated 25.08.2016 and quash the same and consequently direct the respondents to pay the scholarship amount of Rs.9,54,500/- for the academic year 2012 -2013.

For Petitioner : Mr.S.Udayakumar

For Respondents: Mr.V.Anandhamurthy, Addl.G.P.

O R D E R

The Writ Petition has been filed seeking to call for the records of the second respondent in R.C.No.M4/17821/2013 dated 25.08.2016 and quash the same and consequently direct the respondents to pay the scholarship amount of Rs.9,54,500/- for the academic year 2012 - 2013.

2. The petitioner-institution is imparting education for B.Ed., course and also D.TEd., course, besides running a school upto the level of 8th Standard. The petitioner-Institution is also admitting the students belonging to Scheduled Caste and Scheduled Tribe community, for whom, the first respondent has to reimburse the fees payable by such students by way of scholarship for the academic year 2012-2013. The petitioner-College admitted 23 students belonging to Scheduled Caste and Scheduled Tribal communities, who have also completed their course. However, the respondents have not reimbursed the tuition fees, admission fees, special fees and exam fees.

3. Earlier, the petitioner also had filed a Writ Petition in W.P.No.14250 of 2016 for a mandamus directing the respondents to pay the students' scholarship amount. This Court has also directed the respondents to consider the representation dated 29.01.2016 within a period of four weeks. Now, an order has been passed on 25.08.2016, which is impugned in this writ petition, specifically stating that despite affording an opportunity to attend the personal hearing on 25.07.2016, the petitioner had not produced any records and particulars with respect to the scholarship of the students. It is also further stated that the representative of the petitioner was also not of any assistance to the respondents for considering the sanction of the scholarship. Hence, the respondents had rejected the claim of the petitioner.

4. Heard both sides and perused the records.

5. Considering the facts of the case and as it is only for sanction of scholarships due to the students belonging to Scheduled Caste and Scheduled Tribal candidates, it will be useful to direct the respondents to give one more opportunity to the petitioner. It is seen that the first respondent had sent a communication letter dated 28.06.2016 to the second respondent stating that the petitioner-college has to furnish the details with respect to post-matric scholarship disbursement by producing the documents mentioned therein. Accordingly, the petitioner shall be afforded another opportunity for complying with the request for getting post-matric scholarship for Scheduled Caste and Scheduled Tribal students. The petitioner herein is directed to produce all those documents and reports required as per letter dated 28.06.2016 sent by the first respondent to the second respondent (copy of which has also been sent to the petitioner-college). The petitioner is also directed to submit the documents and make themselves available for enquiry before the respondents and on such production of records and appearance of the authorised person of the petitioner-College before the respondents, the respondents shall consider the above sanction of scholarship for 2012-2013 and pass appropriate orders on merits and in accordance with law.

However, the said exercise should be completed within a period of six weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of accordingly. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

srn

To

1. The Director,
Aadidraavidar & Tribal Welfare Department,
Ezhilagam,
Chepauk,
Chennai - 600 005.
2. The District Aadidraavidar and
Tribal Welfare Officer,
Villupuram,
Villupuram District.

+1cc to Mr.S.Udayakumar, Advocate in sr.no.44826
+1cc to Government Pleader in sr.no.44767

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NR 03/07/2017

सत्यमेव जयते

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