

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2017

CORAM:

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.26756 of 2014

St. Joseph Higher Secondary School
Jericho Nagamangalam Post
Trichy 620 012
represented by its Correspondent
A.J. Anbarasan
S/o Arulappan

Petitioner

vs.

1 The Principal Secretary to Government
School Education Department
Fort St. George
Secretariat
Chennai 600 009

2 The Director of School Education
D.P.I. Campus
College Road
Chennai 600 006

Respondents

Writ Petition filed under Article 226 of Constitution of India seeking to issue a writ of mandamus directing the first respondent to consider the review petition filed by the petitioner school dated 18.11.2010 and to pass appropriate orders conferring minority status to the petitioner school as religious minority school, within a time frame.

For petitioner Mr. G. Sankaran

For respondents Mrs. Vasudha Thiagarajan

ORDER

With consent, this writ petition is taken up for final disposal.

2 This writ petition has been preferred seeking issuance of a writ of mandamus directing the first respondent to consider the review petition dated 18.11.2010 filed by the petitioner school and to pass appropriate orders conferring minority status

to the petitioner school as religious minority school, within a time frame.

3 The petitioner school submitted an application dated 18.07.2007 to the second respondent, viz., Director of School Education, Chennai, seeking conferment of minority status, which was rejected by the first respondent, viz., Principal Secretary to Government, School Education Department, vide order dated 03.06.2010 on the ground that only 19% of the students in the petitioner school are Christians and as such, the petitioner school has not complied with the guidelines in G.O. Ms.No.375, School Education Department dated 12.10.1998 as well as G.O. Ms.No.214, School Education Department dated 03.11.2008. The petitioner school, finding that the reason for rejection assigned by the first respondent is unfounded, filed a petition before the first respondent on 18.11.2010 seeking review of the rejection order dated 03.06.2010, which is still under consideration. Hence, the petitioner school has preferred the instant writ petition seeking the aforestated relief.

4 Concededly, the petitioner school has not preferred either appeal or writ petition, calling in question, the legality and validity of the rejection order dated 03.06.2010 and the petitioner school has filed only a review petition on 18.11.2010, seeking review of the rejection order passed by the first respondent. Pursuant to the filing of the said review application, the first respondent has even called for remarks from the office of the second respondent vide letter no.6666/X2/2011-1 dated 02.03.2011. It is the grievance of the petitioner that thereafter, no progress has been made in the matter and hence, the present writ petition.

5 Considering the limited scope of the relief sought by the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider and pass orders on the petitioner's review petition dated 18.11.2010, on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition stands disposed of. Costs made easy.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

cad

To

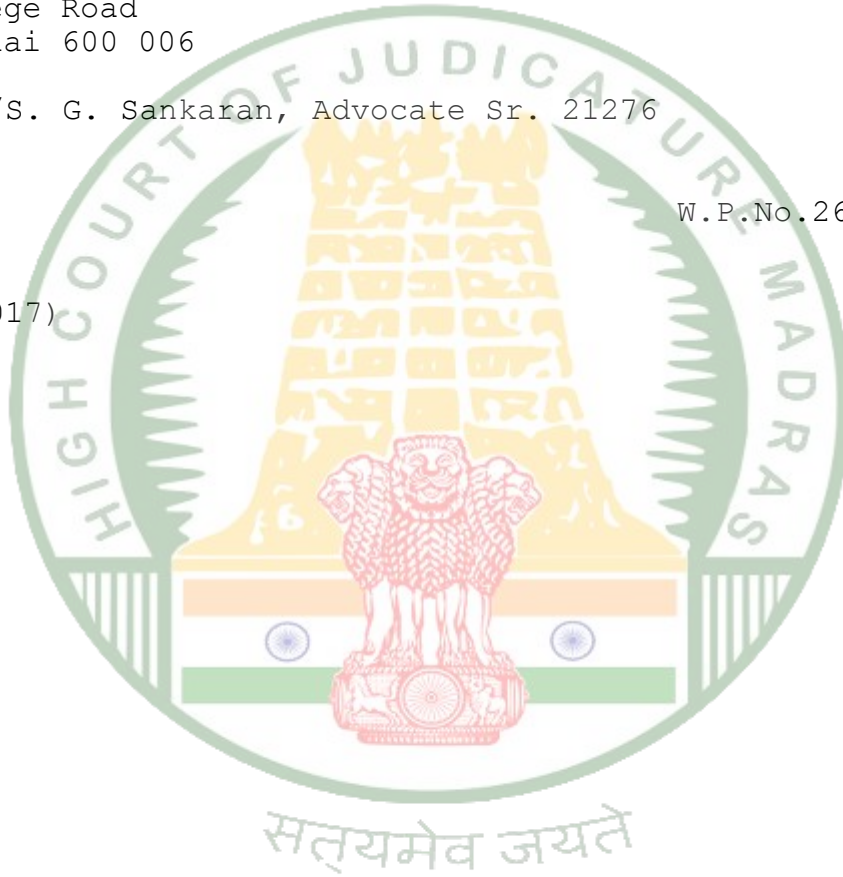
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+1cc to M/S. G. Sankaran, Advocate Sr. 21276

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RSI (CO)
VR(20/4/2017)



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