



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2017

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
AND  
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.A.[MD].No.685 of 2017  
and  
C.M.P(MD).No.5372 of 2017

1. The State of Tamil Nadu  
Represented by its Secretary,  
Department of Higher Education,  
Fort St.George,  
Chennai - 600 009.
2. The Commissioner of Technical Education,  
The Directorate of Technical Education,  
Guindy, Chennai - 600 025. : Appellants/Respondents

**Vs.**

1. The Correspondent,  
MAR Ephraem College of Engineering & Technology,  
Malankara Hills,  
Elavuvilai, Marthandam,  
Kanyakumari,  
Kanyakumari District - 629 171. : 1<sup>st</sup> Respondent/Petitioner
2. The Anna University,  
Represented by its Registrar,  
Guindy Campus,  
Chennai 600 025. : 2<sup>nd</sup> Respondent /3<sup>rd</sup> Respondent

**PRAYER:** Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 25.02.2014 made in W.P.(MD).No.921 of 2014, on the file of this Court.

Prayer in WP(MD). 921/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorari to call for the records relating to the impugned order issued by the 1st respondent State Government in G.O. (1D) NO. 184 (Higher Education -



J2) dated 31.08.2010, quash the same in so far as it restricts the status of the petitioner's college as a Minority Educational Institution to a limited period of 5 years from 2009 to 2014.

For Appellants : Mr.VR.Shanmuganathan  
Special Government Pleader

For Respondent No.1 : Mr.Issac Mohanlal  
Senior Counsel  
For Mr.T.Cibi Chakaraborthy

### JUDGMENT

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[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the appellants and Mr.Issac Mohanlal, learned Senior Counsel for Mr.Cibi Chakaraborthy, learned counsel for the first respondent.

2. This Writ Appeal is directed against the order passed in W.P.(MD).No.921 of 2014, dated 25.02.2014. The first respondent herein filed the said Writ Petition challenging the Government Order issued in G.O(1D).No.184, Higher Education (J2) Department, dated 31.08.2010, insofar as it restricts the status of the first respondent College as a Minority Educational Institution for a limited period of five years, viz., from 2009 to 2014.

3. The Writ Court, after taking note of the decision of the Division Bench in the case of **Secretary, Jeyaraj Annapackiam College, Vs State of Tamil Nadu**, reported in 2013 (8) MLJ 509, allowed the Writ Petition. The above legal decision has been followed consistently by the this Court in several decisions and one such case is that when the appellant filed Writ Appeal in W.A.No.1189 of 2011, [**Secretary to Government, Higher Education Department and another, Vs. Christian College of Engineering and Technology and another**] against the order passed in W.P.No.27840 of 2005, the Writ Appeal was disposed of, by Judgment dated 01.11.2011, following the decision of the Division Bench of this Court in the case of **Thirumuruga Kirupananda Variyar Thavathiru Sundara Swamigal, Medical, Educational and Charitable Trust, Salem Vs. State of Tamil Nadu**, reported in [2001 (3) MLJ 433] and the Judgment of the learned Single Judge in **C.S.I. Institute of Technology Thovalai Vs. The Government of Tamil Nadu and another**, reported in 2004 Writ. L.R.202.

<https://hcservices.courts.gov.in/hcservices/>  
In light of the said decisions, the appellants have not made out case to interfere with the order passed in the Writ Petition. Accordingly, the Writ Appeal fails and the same is



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dismissed.  
is closed.

No costs. Consequently, connected Miscellaneous Petition

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO Mr.T.CIBI CHAKRABORTHY, ADVOCATE IN SR No. 61275

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 61610

NB

TE/MR-KKR/SAR-III : 04/07/2017 : 2P/3C

JUDGMENT MADE IN  
W.A.[MD].No.685 of 2017 and  
C.M.P(MD).No.5372 of 2017  
20.06.2017