

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.03.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.6371 of 2018

L.Sengotaiyan

..Petitioner

vs

The Director,  
Adi Dravidar Welfare Department,  
Ezhilagam, Chepauk,  
Chennai - 60 005.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to afford an opportunity of personal hearing to the petitioner during the personal hearing which will be held by the Respondent in view of orders of this Hon'ble Court dated 28.02.2018 made in W.P.No.3444 of 2018 by considering the representation of the petitioner dated 14.03.2018.

For Petitioner : M/s.Mr.M.K.Subramaniam  
for M/s.S.Senthil

For Respondent : Mr.A.Rajaperumal, AGP

ORDER

The petitioner has come up with this writ petition for a Mandamus, directing the respondent to afford an opportunity of personal hearing to him, while conducting enquiry, as per the order of this Court dated 28.02.2018 made in W.P.No.3444 of 2018, by considering the representation of the petitioner dated 14.03.2018.

2.Heard Mr.M.K.Subramaniam, learned counsel representing Mr.S.Senthil, learned counsel for the petitioner and Mr.A.Rajaperumal, learned Additional Government Pleader taking notice for the respondents.

3.On a perusal of the documents produced in the form of typed set of papers, it could be seen that one R.Senthil Kumar approached this Court by filing WP.No.3444 of 2018, seeking a

direction to the respondent to consider his representation dated 08.11.2017 with regard to disbursement of the scholarship amount to the SC/ST students in Raasi Polytechnic College, Rasipuram Taluk, Namakkal District. By order dated 28.02.2018, this Court disposed of the said writ petition by directing the said R.Senthil Kumar to furnish all the details as sought for in the communication dated 13.02.2018 to the respondent and on receipt of the same, the respondent should consider the same and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner therein. According to the petitioner herein, Rajiv Gandhi Educational Charitable Trust is a public Charitable Trust, which consists of 25 trustees, including the petitioner and the said R.Senthil Kumar. In order to make personal gain, the said R.Senthil Kumar along with others were attempting to receive the scholarship amount payable to the SC/ST students admitted for the academic year 2016-17 from the respondent and they filed WP.No.3444 of 2018 and obtained the aforesaid order dated 28.02.2018 without impleading the necessary parties including the petitioner herein. Hence, the petitioner filed this writ petition seeking a direction to the respondent to provide an opportunity of personal hearing to him, so as to place all the factual and legal materials, while considering the representation of the said R.Senthil Kumar, with regard to disbursement of scholarship amount.

4. Such prayer sought for by the petitioner, in the considered opinion of this Court, cannot alter/modify the relief already granted to the petitioner in WP.No.3444 of 2018. In fact, it would enlighten the respondent to decide the issue involved in the said writ petition. Therefore, this Court feels it appropriate to direct the respondent to provide an opportunity of personal hearing to all the interested parties, including the petitioner herein, before passing appropriate orders, on the representation of the petitioner in WP.No.3444 of 2018, in the light of the earlier order dated 22.08.2018 passed in the said writ petition.

5. Accordingly, this writ petition stands disposed of. No costs.

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

The Director,  
Adi Dravidar Welfare Department,  
Ezhilagam, Chempauk,  
Chennai - 60 005.

+1cc to Mr.S.Senthil, Advocate, S.R.No.21221

+1cc to the Government Pleader, S.R.No.22315

W.P.No.6371 of 2018

RRK(26/03/2018)



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