



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.14886 of 2018 and
W.M.P.(MD) Nos.13434 & 13435 of 2018

Mothermary Special School
for Mentally retarded / Hostel
S.No.641/1A/1A, Angunagar
Chettinaickenpatti Village
Dindigul West Taluk,
Dindigul District,
rep.by its Correspondent
Rachal Vinitharani
W/o.Ebenezer.

... Petitioner

vs.

1. The Principal Secretary to Government
Department of Welfare of Differently Abled Persons
Secretariat, Chennai-9

2. The State Commissioner for
Disabled Commissionerate for
Welfare of Differently Disabled
Land Willington College Campus, Chennai

3. The District Differently Abled Welfare Officer
Dindigul District, Dindigul
(R1 is *suo motu* impleaded
vide order dated 11.07.2018)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records pertaining to the impugned order passed by the second respondent in his proceedings in Proc.2213/ST2/2017, dated 02.06.2017 and quash the same as illegal.
(Amended vide order dated 11.07.2018)

For Petitioner : Mrs.K.Vidya

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

O R D E R



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. As against the impugned proceedings of the second respondent, dated 02.06.2017, revoking the recognition granted to the petitioner - School, an appeal has been preferred before the Government under Section 54(1) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation), Act, 1995. When the impugned order has already been challenged before the Appellate Authority and the same is pending, it would not be proper for this Court to go into the merits of the case parallelly. On the other hand, if a direction is given to the Appellate Authority to dispose the appeal preferred as against the order impugned in this writ petition expeditiously, ends of justice would be met.

4. In the light of the above observations, the first respondent is directed to expedite the appeal preferred as against the order, dated 02.06.2017, in Proc.2213/ST2/2017, passed by the second respondent and pass final orders, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The Principal Secretary to Government,
Department of Welfare of Differently Abled Persons,
Secretariat, Chennai-9.
2. The State Commissioner for
Disabled Commissionerate for
Welfare of Differently Disabled,
Land Willington College Campus, Chennai.
3. The District Differently Abled Welfare Officer,
Dindigul District, Dindigul.

+ 1 CC TO Mr.J.LAWRANCE, ADVOCATE IN SR No. 72333

KRK

TE/SKN/SAR-2 : 24/07/2018 : 2P/5C