



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15656 of 2018

and

W.M.P.(MD).No.14053 of 2018

Harijan Elementary School
Represented by its Secretary/Correspondent,
Santhattiyapuram,
Sankarankovil Range
Tirunelveli District 627 753.

... Petitioner

Vs.

1. The Secretary to Government,
School Education Department,
Government of Tamil Nadu,
Fort St. George, Chennai-9.

2. The Director of Elementary Education,
College Road, Chennai 600 006.

3. The District Elementary Educational Officer,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent herein to consider the representation of the petitioner dated 29.12.2014 for grant of minority status and consequently direct the respondents to declare the petitioner school as a minority school.

For Petitioner : Mr.Veerakathiravan
Senior counsel

For Respondents : Mr.S.Nagarajan
Special Government Pleader

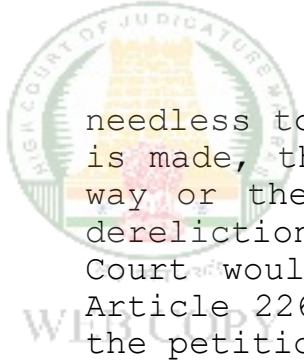
ORDER

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that his representation dated 29.12.2014, seeking for grant of minority status and consequently direct the respondents to declare the petitioner school as a minority school, has not been considered by the first respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is



needless to point out that whenever an representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation, dated 29.12.2014, on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. In the meantime, the petitioner is not at liberty to give a fresh representation along with the supporting documents. Such an exercise shall be done, after conducting an enquiry and giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Secretary to Government,
School Education Department,
Government of Tamil Nadu,
Fort St. George, Chennai-9.
2. The Director of Elementary Education,
College Road, Chennai 600 006.
3. The District Elementary Educational Officer,
Tirunelveli.

+1CC to M/s.VEERA ASSOCIATES, Advocate, SR.No. 73802

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18.07.2018

SJI

ES/SKN/RSK/SAR 1/01.08.2018/2P/5C

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