

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.21855 of 2001

ORDER:

This writ petition is filed seeking to issue a writ of *Mandamus* declaring the inaction of the respondents in taking steps for release of financial assistance to the petitioner society for development of Sanskrit education as per the recommendations of the 3rd respondent-Government as arbitrary and illegal and consequently to direct the respondents 1 and 2 to release the grant of financial assistance from the academic years 1993-94 onwards.

During the pendency of this writ petition, the petitioner society filed WPMP.No.6670 of 2002 seeking to amend the prayer in the writ petition after the words "Nature of Mandamus" to the following effect:

"Declaring the proceedings of the 1st respondent in proceedings No.36010/472/2001-2002/S.II/2130 dated 8/10.01.2002 refusing to grant financial assistance to the petitioner-society for the academic year 1993-94 onwards as illegal, arbitrary and discriminatory and consequently direct the respondents to release financial assistance from 1993-94 onwards in the interest of justice."

The amendment petition was ordered on 28.3.2002.

Heard Sri E.Satyanarayana, learned counsel for the petitioner society and Sri K.Lakshman, Assistant Solicitor General for the respondents.

It is submitted by the petitioner-society that their society was established for promoting Sanskrit language and that respondent No.1- Rastriya Sanskrit Samsthan had taken a policy

decision to grant financial assistance to institutions which are promoting Sanskrit and the petitioner society is one such identified institution and financial assistance was granted to them for the academic years 1990-91, 1991-92, 1992-93. It has been further submitted by the petitioner society that from the academic year 1993-94 onwards, the respondents have not released the financial assistance. Aggrieved by the same, the present writ petition is filed.

Learned counsel appearing for the petitioner society contended that during the pendency of this writ petition, the respondents have issued proceedings No.36010/472/2001-2002/S.II/2130 dated 8/10.1.2002 to the effect that they have inspected the premises of the petitioner-society and agreed to release financial assistance from the academic year 2001-02 onwards and accordingly an amendment application was filed for amending the prayer and the same was ordered. Learned counsel for the petitioner society further contended that when once the institution is being run by the petitioner-society in promoting Sanskrit, they are entitled for financial assistance as per the scheme enunciated by the respondents and initially the respondents have granted financial assistance for the academic years 1990-91, 1991-92, 1992-93 and the same was stopped from the academic year 1993-94 onwards and, therefore, the petitioner society had submitted representation on 23.5.2001 to respondent no.1 seeking grant of financial assistance from the academic year 1993-94 onwards.

Learned counsel appearing for the respondents contended that the respondents have issued proceedings dated 8/10.1.2002 granting financial assistance from the academic year 2001-02

onwards after the institution was inspected and since inspection of the institution was not conducted from the academic years 1993-94 to 2000-01, the respondents cannot release financial assistance in favour of the petitioner society.

This Court having considered the submissions made by both the parties is of the view that ends of justice would be met if the respondents are directed to dispose of the representation submitted by the petitioner society on 23.5.2001. It is also made clear that this Court is not expressing any opinion on merits of the case and it is always open to the respondents to pass orders taking into account the fact that the petitioner society was granted financial assistance right from the year 1990 onwards.

Accordingly, the Writ Petition is disposed of directing the respondents to dispose of the representation submitted by the petitioner-society on 23.5.2001 within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 20/08/2018

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