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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.6.2019

CORAM
THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.A.No.1975 of 2013
and
M.P.Nos.1 and 2 of 2013

Annai Velankanni College,
Tholavayavattam,
Kanyakumari District,
rep. by its Correspondent
Rev.Father Xavier Benedict

..Appellant

Versus

1. The Government of Tamil Nadu,
rep. by its Secretary,
Higher Education Department,
Fort St. George, Chennai 600 009.
2. The Director of Collegiate Education,
College Road, Chennai 600 006.
3. The Regional Joint Director of
Collegiate Education,
Tirunelveli Region,
Palayamkottai,
Tirunelveli District.

..Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent
against the order of this court dated 17.4.2013 in W.P.No.13153
of 2004.

Prayer in WP.No.13153 of 2004:

Writ Petition filed under Article 226 of the Constitution
of India to issue a Writ of Certiorarified Mandamus to call for
the records of the 1st Respondent issued in G.O(ID) No.47, Higher
Education (E1) Department, dated 04/03/2004, quash the same and
direct the first respondent to recognise the petitioner college
as a Christian Religious Minority Institution.

For appellant : Mr.P.Godson Swaminath

For Respondents : Mr.V.Kadhirvelu,
Special Government Pleader



JUDGMENT

(Judgment of the court was made by Dr.VINEET KOTHARI, J.)

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In view of the subsequent development in the matter, the learned counsel for the appellant submits that the Appellant-Institution viz., Annai Velankanni College has once again moved an application claiming minority status for the Institution which was rejected by the competent authority, against which, a fresh writ petition in W.P.No.1068 of 2017 has been filed and the same is pending in this court.

2. Therefore, we are of the opinion that the present writ appeal against the order passed by the learned Single Judge in the first round of litigation on 17.4.2013 in W.P.No.13153 of 2004 has become infructuous. Accordingly, the Writ Appeal is disposed of with a liberty to the Appellant to pursue its legal remedy in W.P.No.1068 of 2017, which is said to be pending before this court. No costs. The connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Secretary,
The Government of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai 600 009.
2. The Director of Collegiate Education,
College Road, Chennai 600 006.
3. The Regional Joint Director of
Collegiate Education,
Tirunelveli Region,
Palayamkottai,
Tirunelveli District.

+1cc to M/s.Isaac Chambers, Advocate, S.R.No.49174

W.A.No.1975 of 2013

VD(CO)

RRS (07/08/2019)