

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8748 of 2019

Action for Water and Rural
Development Trust (Award)
rep. by its Managing Trustee
Correspondent D.Benjamin
No.63, Kovai Bye-pass Road,
Ellis Nagar Post, Dharapuram Taluk,
Tiruppur-638 657.

... Petitioner

-vs-

1. The Secretary,
Government of Tamil Nadu,
Revenue Department,
Secretariat, Chennai-9.
2. The Thasildar,
Sulur Taluk Office,
Coimbatore District.
3. The District Collector,
District Collector Office,
Coimbatore District.
4. The Director,
Land Reforms,
Bhoodhan Board,
Ezhilagam, Chepauk,
Chennai-600 005.

.. Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to pass orders on the petitioner's representation dated 05.02.2019 within the stipulated period as fixed by this Court.

For Petitioner : Mr.S.Parthasarathy
For Respondents : Mr.M.Elumalai
Government Advocate

ORDER

The petitioner has come to this Court seeking a direction to the respondents to pass orders on their representation dated 05.02.2019 within the stipulated time.

2.Learned counsel appearing for the petitioner would submit that the petitioner is a Public Charitable Trust, registered with the Sub Registrar, Dharapuram on 20.12.1995 in No.241 of 1995 and the Trust was formed for the purpose of providing free schooling for the children, medical aid for the children and adults for the sick and suffering, welfare home for needy children and clinic for programmers and nursing mothers, rural and urban medical unit, rural/urban water supply, rural/urban homeless for house, eye camp for all aged in urban/rural areas, community health centre for rural areas, free house site and free house build for SC/ST urban and rural areas.

3.According to the learned counsel appearing for the petitioner, the petitioner has been running special school in the name of Bethanya Special School for the Intellectual Disabled at Yorthan Nagar, Kangeyam Pirivu, Varappalayam Village, Ellis Nagar, Dharapuram Taluk, Thiruppur District, registered with the State Commissionerate for the differently abled in Chennai. It is submitted by the learned counsel appearing for the petitioner that the current status of the education of the deaf in India today is extremely poor. Since the deaf students coming from other states are facing difficulties in pursuing academics as the medium of instructions is not indigenous to their languages, zone wise setting up of colleges for the deaf are envisaged to increase enrolment in higher education. In order to alleviate the grievances of the deaf, the petitioner's Trust has made ready all proposals and place to start a deaf college for the deaf students.

4.According to the learned counsel appearing for the petitioner, while the petitioner was looking for a suitable place to open a college, it was found that one Boomi Dana Iyyakka land in Survey SF. No.496/1 in 6.26 acre, situated at Selakkarasal Village, Sulur Taluk, Coimbatore District has not been utilised for many years for any purpose and the said land has not been allotted or assigned to any person, therefore, the said place has been identified, hence, in this regard, the petitioner made an application with the Bharathiyar University,

Coimbatore for grant of approval for starting New Arts and Science College in the name of Mahatma Gandhi College for Deaf with all enclosures and fees on 29.01.2019 and the same is pending and therefore, the petitioner has sent a representation dated 05.02.2019 to the respondents to pass orders assigning the said land for free of cost or for lease for the period of 99 years for instituting the college. As the respondents have not passed any order, the petitioner is before this Court seeking the above direction.

5.Learned Government Advocate appearing for the respondents would submit that the petitioner's representation would be considered, on merits.

6.Keeping in mind that the petitioner is going to set up a college for deaf in the place in question, which is the most welcome step for all the people, this Court, without going into the merits of the matter, hereby directs the respondents to consider and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order, on the basis of the representation given by the petitioner. No costs.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

vga

To

1. The Secretary,
Government of Tamil Nadu,
Revenue Department,
Secretariat, Chennai-9.
2. The Thasildar,
Sulur Taluk Office,
Coimbatore District.
3. The District Collector,
District Collector Office,
Coimbatore District.

4. The Director,
Land Reforms,
Bhoodhan Board,
Ezhilagam, Chepauk,
Chennai-600 005.

+1cc to Mr.S.Parthasarathy, Advocate, S.R.No.10200
+1cc to M/s.V.Bhiman, Advocate, S.R.No.40214

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NMI (CO)
CS/02/05/2019



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