

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.1194 of 2018

and

W.M.P.No.1496 of 2018

GRT Institute of Engineering and Technology,
(Run by GRT Mahalakshmi Educational Charitable Trust)
Represented by its Managing Trustee G.Rajendran,
GRT Mahalakshmi Nagar,
Chennai - Tirupathi Highway,
Tiruttani - 631 209
Tamil Nadu

... Petitioner

Versus

- 1.The Government of Tamil Nadu
Represented by its Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai - 600 009.
- 2.The Director,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai - 600 005.
- 3.The District Adi Dravidar and Tribal Welfare Officer,
Tiruvallur, Tiruvallur District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Certiorarified Mandamus calling for the records of the second respondent's proceeding bearing Na.Ka.No.J2/11410/2013-1 dated 19.12.2017 and quash the same and consequently direct the respondents to consider the representations of the petitioner dated 15.07.2016, 09.02.2017, 05.10.2017, 26.10.2017, 16.11.2017 and 07.12.2017 seeking to verify the records and certificates of the SC/ST students studied in their institutions during the Academic Year 2011-2012 and 2012-2013 and release the scholarship amount of Rs.54,04,950/- for the Academic years 2011-2012 and 2012-2013 for Engineering Course (for 191 students); Rs.21,77,120/- for the year 2011-2012 and 2012-2013 for Nursing Course(for 64 students) and Rs.21,88,400/- for the Academic Years 2011-2012 and 2012-2013 for B.Ed., & M.Ed., Courses (for 50 students) in all amounting to Rs.97,70,470/-.

For Petitioner
For Respondents

: Mr.S.Udayakumar
: Mr.S.Suresh Kumar
Government Advocate

O R D E R

The case of the petitioner's institute is that the second respondent refused to reimburse the fees payable to the SC/ST candidates by way of Post Matric Scholarship which they are entitled for.

2. However, in the counter, the respondents had stated that they have not received any representation from the students or from the college administration who studied in the Academic Year 2012-2013 till 2016. So, they need not sanction the scholarship for those students who studied in the year 2012-2013 for the following reasons:-

"(i) The petitioner institutions have not adhered to the orders of this department issued to all self finance institutions through circulars as well.

(ii) They have failed to assign any genuine reason as to why post matric scholarship claims of the institution should be considered as it was not claimed within the time limit which is a requirement for processing PMSS claims.

(iii) Certificates and other relevant documents which have to be verified before sanctioning of scholarship cannot be verified at this distance of time for students who have joined the institution in 2012-2013 and passed out in 2015-2016.

(iv) Scholarship has to be sanctioned for pursuing the course and it should not be claimed as a matter of right belatedly as in the case of the petitioner colleges.

(v) If the claim of the petitioner is entertained, it will set a bad precedent for all institutions."

3. The above said reasons appears to be genuine, but if the petitioner's institute could able to furnish the details of the students belonging to SC/ST community studied during the year 2012-2013, their community and completion of the course can be easily verified. Since, the facts are all verifiable, through other records. Therefore, the petitioner is hereby directed to give representation afresh with all the particulars to the second respondent for verification and on satisfaction of the documents, the second respondent is directed to disburse the

scholarship amount if any within eight weeks from the date of receipt of the representation with documents.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary,
The Government of Tamil Nadu
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai - 600 009.
- 2.The Director,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai - 600 005.
- 3.The District Adi Dravidar and Tribal Welfare Officer,
Tiruvallur, Tiruvallur District.

+1cc to Mr.S.Udayakumar, Advocate, S.R.No. 52661

+1cc to the Government Pleader, S.R.No. 52849

W.P.No.1194 of 2018
and

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RSI (CO)
GN(24/07/2019)

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