

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 17.06.2019

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.12387 of 2019
and WMP.No.12689 of 2019

Association of Management of Coimbatore
Anna University Affiliated Colleges
(Registration No.140/2008)
represented by its President
119, Bhavani Road,
Erode 638 004. Petitioner

Vs

1. The Government of Tamil Nadu,
Represented by its Secretary,
Adi-Dravidar and Tribal Welfare Department,
Chennai 600 009.
2. The Secretary to the Government of Tamil Nadu,
High Education Department,
Chennai 600 009.
3. The Commissioner of Technical Education,
Chennai 600 025.
4. Adi-Dravidar and Tribal Welfare Department,
Rep. by its Director,
Chennai 600 009. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari, to call for records of the first respondent relating to G.O.Ms.No.52, Adi-Dravidar and Tribal Welfare dated 11.08.2017 and quash the same.

For Petitioner : Mr.K.Doraisamy
Senior Counsel
for Mr.Muthumani Doraisamy

For Respondents: Mr.N.Inbanathan,
Additional Govt. Pleader for R1 & R4
Mr.V.Kathirvelu,
Special Govt.Pleader for R2 & R3

O R D E R

The prayer in the writ petition is for issuance of a writ of Certiorari calling for the records of the first respondent relating to G.O.Ms.No.52, Adi-Dravidar and Tribal Welfare dated 11.08.2017 and quash the same.

2. The writ petitioner is the Association of Management of Coimbatore Anna University Affiliated Colleges. The grievance of the Association is that the Government of Tamil Nadu, to improve the education qualification of students belonging to Scheduled Caste and Scheduled Tribe, introduced a Post-Matric Scholarship Scheme for Government, Government Aided and Self Financing Institutions. Adi-Dravidar and Tribal Welfare Department issued G.O.Ms.No.52, Adi-Dravidar and Tribal Welfare, dated 11.08.2017. The said G.O. was stayed by the Madurai Bench of this Hon'ble Court on 27.09.2017 and the stay continued upto 24.01.2019. Similarly the stay granted by the Principal Bench of this Hon'ble Court was in force till 20.02.2019. The grievance of the petitioner Association is that for the academic year 2017-2018, Government has reimbursed only Rs.50,000/- per student for scholarship, instead of rightful entitlement of Rs.85,000/- as educational fee. In this regard the learned Additional Government Pleader appearing for the respondents 1 and 4 would submit that since G.O.Ms.52, which has granted scholarship for the students admitted under Management quota, has been given effect only prospectively and the order passed by the learned single Judge has been upheld by the Division Bench, if the members of the petitioner Association are entitled for full scholarship, they will be paid the scholarship as directed by the Hon'ble Court in the Writ Appeal and the same shall be for the year 2017-2018 alone.

3. Taking note of his undertaking and in the light of the orders passed by this Court in earlier litigation, the writ petition is allowed by directing the respondents to pay the full scholarship fee for the year 2017-2018 alone to the students of the petitioner Association within a period of eight weeks from the date of receipt of a copy of this order.

4. Accordingly the writ petition stands allowed. No costs. Consequently connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

dpq

To

1. The Secretary, Government of Tamil Nadu,
Adi-Dravidar and Tribal Welfare Department,
Chennai 600 009.
 2. The Secretary to the Government of Tamil Nadu,
High Education Department,
Chennai 600 009.
 3. The Commissioner of Technical Education,
Chennai 600 025.
 4. The Director,
Adi-Dravidar and Tribal Welfare Department,
Chennai 600 009.
- +1 CC to Mr.Muthumani Doraisamy, Advocate sr 49638.
+1 CC to Govt. Pleader sr 49483.

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NMI (CO)
SP(10/07/2019)



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