

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2019

CORAM

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

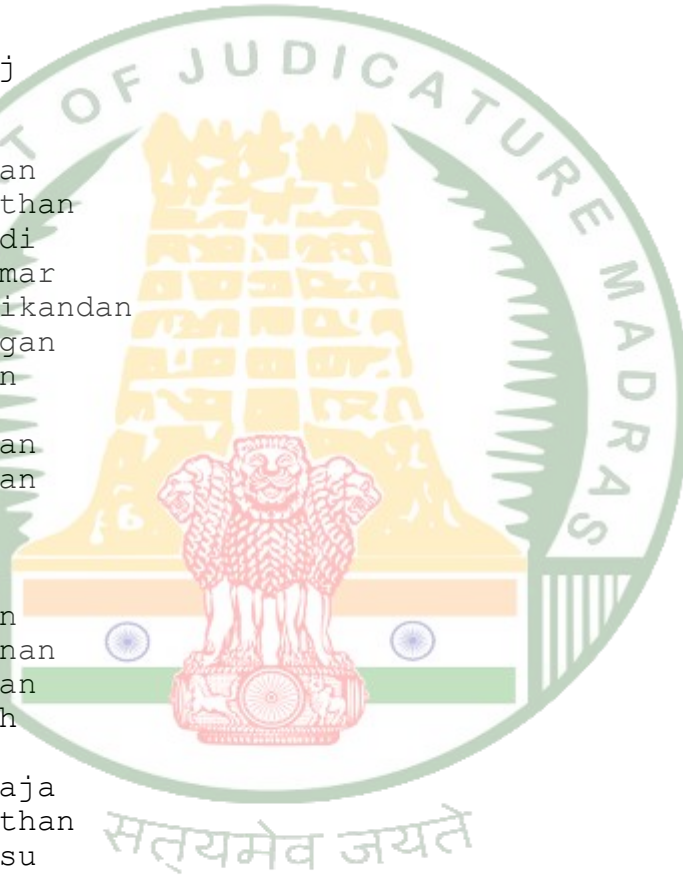
W.P.No.14770 of 2019
and W.M.P.Nos. 14753 to 14755 of 2019

1. G.Marimuthu
2. G.Muneeshwari
3. C.Vignesh
4. K.Arikrishnan
5. S.Kanchana
6. S.Dhanalakshmi
7. S.Suganthi
8. J.Sivasakthi
9. B.Vidhya
10. K.Priya
11. P.Preethy
12. S.Krishnaveni
13. C.Vinothini
14. B.Rubi
15. R.Manoj Kumar
16. V.Balamurugan
17. V.Praveen
18. S.Vasantharajan
19. M.Dhavavel
20. M.Manikandan
21. R.Prathap
22. S.Sasi Kumar
23. P.Gopi
24. K.Kaviprakash
25. K.Ravikumar
26. S.Seenu
27. N.Kabilkannan
28. S.Akash
29. K.Deepasurya
30. K.Sathishkumar
31. K.Prakash
32. M.Nethaji
33. P.Bharathiraja
34. K.Prashanth
35. B.Mugilan
36. A.Manimaran
37. T.Killivalavan
38. A.Abithkumar
39. M.Chinnnadurai



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40.N.Nivinraj
41.D.Praveena
42.B.Parthisiya
43.M.Amutharani
44.S.Narmadha
45.S.Sanmugapriya
46.R.Aravinthraj
47.K.Vasudevan
48.R.Arasu
49.S.Jothimurugan
50.K.Veeravel
51.R.Ayappan
52.M.Karthi
53.A.Kanagaraj
54.V.Eshwaran
55.T.Vignesh
56.R.Gokulvasan
57.D.Jeevananthan
58.P.Muthupandi
59.P.Nireshkumar
60.T.Selvamanikandan
61.M.Arivazhagan
62.S.Nesabalan
63.M.Sankar
64.V.Loganathan
65.D.Prabakaran
66.R.Ranjith
67.R.Ramki
68.C.Samiraja
69.D.Jayadevan
70.S.Pugazhvanan
71.K.Poovarasan
72.D.Arulsingh
73.M.Ayyanar
74.S.Karthikraja
75.T.Gandhinathan
76.K.Thennarasu
77.P.Parthiban
78.E.Dhilipkumar
79.V.Baranidharan
80.M.Vijayaraj
81.P.Parthiban
82.A.Vellamathu
83.K.Saran
84.M.Vignesh
85.M.Devaraj
86.R.Mutharasan
87.K.Kamaraj
88.V.Ajith
89.K.Baskar



WEB COPY

90.R.Sathish
91.K.K.Abisek
92.R.Dhasan
93.B.Thiruthuraipandiyan
94.N.Kaleeswaran
95.S.Jayasurya
96.M.Vimalraj
97.S.Pounkumar
98.G.Subash
99.S.Tamilmani
100.K.Priya

...Petitioners

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary, Adi- Dravidar and
Tribal Welfare Department, Chennai - 09.
2. The Secretary to the Government
of Tamil Nadu, Higher Education
Department, Chennai - 09.
3. The Commissioner of Technical Education,
Chennai- 600025.
4. Adi - Dravidar and
Tribal Welfare Department
Rep.by its Director, Chennai - 09.
5. Tagore Institute of Engineering & Technology,
Rep. by its Principal, Deviyakurichi,
Attur Taluk, Salem District - 636 112.

...Respondents

Prayer: Writ petition filed under Article 226 of the
Constitution of India prays to issue a Writ of
Certiorarified Mandamus, Calling for the records of the 1st
respondent relating to G.O.Ms.No.52 Adi Dravidar and
Tribal Welfare dated 11/08/2017 and quash the same.

For petitioner : Mr.Muthumani Doraisamy

For respondents : Mr.V.Kathirvelu
Special Government Pleader

ORDER

The prayer sought for herein in this Writ Petition is for issuance of a Writ of Certiorari, to call for the records of the 1st respondent relating to G.O.Ms.No.52, Adi-Dravidar and Tribal Welfare, dated 11.08.2017 and quash the same.

2. By consent of both parties, the writ petition itself is taken up for hearing and the following order is passed.

3. The core issue that arises for consideration is that whether the writ petitioners, who are the students admitted in the private engineering colleges under the management quota are entitled to the benefit of G.O.Ms.No.52, Adi-Dravidar and Tribal Welfare, dated 11.08.2017.

4. In a similarly placed matter, i.e., in W.P.Nos. 9723 and 9730 of 2019 the Division Bench has given the following Judgment :

"3. The Government of Tamil Nadu, with a view to help the students belonging to Adi Dravidar community, issued an order in G.O.Ms.No.6, Adi Dravidar and Tribal Welfare Department, dated 09 January 2012, providing scholarship to the students studying in Government and Aided Institutions. The Government made certain amendments to the Government Order in G.O.Ms.No.6, Adi Dravidar and Tribal Welfare Department, dated 09 January 2012. By way of the said amendment, the Government made it clear that the scholarship would be granted only to the extent of rates fixed by the Fee Structure Committee for the free seats under Government quota with effect from the academic year 2017-2018. The Government was well within its powers to amend the order. The grievance of the petitioner appears to be that only during the currency of the academic year, the amendment was introduced. There will be no difficulty to the petitioner, in case the Government Order is implemented from the academic year 2018-2019 instead of 2017-2018. In case the operation of the Government Order is given effect from 2018-2019, it would not affect the petitioner in any manner.

4. We direct the respondents not to extend

the amended Government Order to the petitioner, meaning thereby, he would be entitled to the benefit of the earlier order in G.O.Ms.No.6, Adi Dravidar and Tribal Welfare Department, dated 09 January 2012. No other contentions were raised before us.

5. We allow the Writ Petition in W.P.(MD) No.17694 of 2017 as indicated above. No costs. Consequently, the connected Miscellaneous Petitions are closed."

5. In the light of the above said Judgment, the present writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Vacation officer

//True Copy//

Sub Assistant Registrar

mrm/kkn
To

1. The Secretary,
Government of Tamil Nadu
Adi- Dravidar and
Tribal Welfare Department, Chennai - 09.
 2. The Secretary to the Government
of Tamil Nadu, Higher Education
Department, Chennai - 09.
 3. The Commissioner of Technical Education,
Chennai - 600025.
 4. Adi - Dravidar and
Tribal Welfare Department
Rep.by its Director, Chennai - 09.
 5. Tagore Institute of Engineering & Technology,
Rep. by its Principal, Deviyakurichi,
Attur Taluk, Salem District - 636 112.
- +2ccs to Mr.Muthumani Doraisamy , Advocate SR.No. 44160

W.P.No.14770 of 2019 and
W.M.P.Nos. 14753 to 14755 of 2019

A.SK(28/05/2019)