

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2019

CORAM

THE HONOURABLE MR.JUSTICE T. RAJA

W.P.No.15072 of 2018

Dharmamurthi Rao Bahadur Calavala Cunnan Chetty's
Hindu College, Pattabiram,
Chennai-600 072,
Represented by its Honorary Secretary,
Mr.M.Venkatesaperumal.

....Petitioner

..Vs..

1. State of Tamilnadu,
represented by its Secretary,
Higher Education Department,
Fort. St. George,
Chennai-600 009.
2. The Director of Collegiate Education,
DPI Campus, College Road,
Chennai- 600 006.
3. The Joint Director of Collegiate Education,
Chennai Region, Saidapet,
Chennai- 600 015.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to pass orders to consider the representation of the petitioner dated 12.10.2006 with all other factual information already furnished to the respondents for conferring the Linguistic Minority Status based on language to Hindu College, Pattabiram (both Shift-I and Shift-II) run by our Trust keeping the spirit guaranteed under Article 30(1) of the Constitution of India.

For Petitioner : Mr.R.S.Jeevarathinam
M/S.Madhuri Donti Reedy
For Respondents : Mr.Kadhirvelu
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents herein to consider the petitioners' representation dated 12.10.2006 with all other factual information already furnished to the respondents for conferring the Linguistic Minority Status based on language to Hindu College, Pattabiram (both Shift-I and Shift-II) run by our Trust keeping the spirit guaranteed under Article 30(1) of the Constitution of India.

2. Learned Senior counsel appearing for the petitioner submitted that the petitioner, which is a Charitable Trust running several Educational Institutions, has sought for Minority Status. Therefore, they have given a representation on the basis of G.O.Ms.No.270, Higher Education Department, dated 13.02.2003, directing that the guidelines already issued be followed in the matter of grant of monetary status pending the formulation of "indicia" by the Supreme Court following the judgment of the Larger Bench in T.M.A. Pai Foundation case. In the light of the above, the petitioner came to this Court seeking to dispose of his representation dated 12.10.2006 and this Court has also considered the limited prayer while disposing of the Writ Petition No.8906 of 2007, by its order dated 12.03.2007 and directed the respondents therein to consider the representation of the petitioner dated 12.10.2006 within a period of two months from the date of receipt of copy of that order and the same has not been complied with.

3. The learned Senior counsel also submitted that again several representations have been repeatedly given to the respondents renewing their request to confer the linguistic Minority Status and finally they have also sent a reminder stating that although they have better remedy to approach this Court for enforcement of mandamus given by this Court on 12.03.2007, they did not wish to proceed. In spite of the letter dated 09.03.2016, the respondent have not come forward. Therefore, he has under compulsion to come back with the present Writ Petition.

4. The learned Special Government Pleader appearing for the respondents submitted that if sufficient time is granted, the request for confirmation of minority status of their trust would be considered on merits.

5. Recording the same, in the light of the G.O.Ms.No.270, Higher Education Department, dated 12.03.2007, this Court hereby directs the respondents to consider the petitioner's representation dated 12.10.2006 and pass appropriate orders, on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No cost.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rli
TO

1. The Secretary to Government,
Higher Education Department,
Fort. St. George,
Chennai-600 009.
2. The Director of Collegiate Education,
DPI Campus, College Road,
Chennai- 600 006.
3. The Joint Director of Collegiate Education,
Chennai Region, Saidapet,
Chennai- 600 015.

+1cc to Mr.Madhuri Donti Reedy, Advocate, S.R.No.971

+1cc to the Government Pleader, S.R.No.1477

W.P.No.15072 of 2018

SV(CO)
GSP(07/01/2019)

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