



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 31.07.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.18339 of 2019
& W.M.P.No.17687 of 2019

The Secretary,
Loyala College,
Vettavalam - 606 754,
Tiruvannamalai District.

... Petitioner

/verus/

1. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Higher Education,
Fort St.George, Chennai - 600 006.
2. The Director of Collegiate Education,
College Road, Chennai - 600 006.
3. The Joint Director of Collegiate Education,
Vellore Region,
Vellore District - 632 004.
4. Thiruvalluvar University,
Rep. by its Registrar,
Vellore District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the 1st respondent State Government to recognize forthwith the status of the petitioner's College as a Christian Religious Minority Educational Institution by considering the Memorandum to them dated 24.11.2014 and pass orders.

For Petitioner : Mr.Godson Swaminathan

For R1 to R3 : Mr.V.Kathirvelu, Spl.GP,

For R4 : No appearance

O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Counsel for the respondents.

2. The petitioner herein has sought for minority status from the State Government of Tamil Nadu, so as to administer the petitioner College as a Christian Religious Minority Educational Institution.

3. The grievance of the petitioner is that, the memorandum seeking Minority status, dated 24.11.2014 not been considered by the 1st respondent, till date. In spite of notice taken by the Learned Special Government Pleader appearing for the respondents, for the past one month, three adjournments were taken, but the respondents are not in a position to explain why the memorandum of the petitioner not been considered, in spite of several reminders, for the past 5 years.

4. After the order passed by the Hon'ble Supreme Court in I.A.No.20 in W.P.I(C).No.317 of 1993, the Government of Tamil Nadu vide G.O.(D).No.270, dated 17.06.1998 has formulated the guidelines for issuance of minority status to the Educational Institutions established by Tamil Nadu. While so, when the petitioner has approached the Government for grant of minority status as early as on 24.11.2014, with all required annexures and same been forwarded by the Regional Joint Director of Collegiate Education to the Director of Collegiate Education on 21.01.2015, it appears that the Director has returned the proposal dated 17.01.2018, directing the petitioner to re-submit with certain particulars regarding students admitted in their college, during the academic year 2011-2012 onwards.

5. The contention of the petitioner is that, the particulars sought by the Directorate of Collegiate Education was furnished to the 1st respondent on 23.01.2018 and reminders were sent to the respondents on 13.02.2018 and 14.05.2019. However, till date, no order has been passed, which has forced the petitioner/Institute to file the present Writ Petition.

6. This Court, to ascertain the status of his application, directed the Special Government Pleader to get instructions from the respondents. As pointed out earlier, in spite of several adjournments and time granted, the respondents have not cared to appear before this Court and present the status report of the application made by the petitioner/Institute. In such circumstances, this Court, issue

Writ of Mandamus as sought in the Writ Petition, directing the 1st respondent herein to consider the memorandum sent by the petitioner herein for seeking minority status and pass appropriate orders, within a period of four weeks from today.

7. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

bsm
To

1. The Secretary,
The State of Tamil Nadu,
Department of Higher Education,
Fort St.George, Chennai - 600 006.
2. The Director of Collegiate Education,
College Road, Chennai - 600 006.
3. The Joint Director of Collegiate Education,
Vellore Region,
Vellore District - 632 004.
4. The Registrar,
Thiruvalluvar University,
Vellore District.

+1 CC to M/s. Isaac Chambers sr 65655.

+1 CC to Govt. Pleader sr 65955.

W.P.No.18339 of 2019

MG(CO)
SP(04/09/2019)

WEB COPY