



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.07.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.29815 of 2018

Citizen Education Society,
No.228, Avvai Shanmugam Road,
Gopalapuram,
Chennai - 600 086.
Rep. by its Chairman,

... Petitioner

/versus/

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Education Department,
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Directorate of Minorities Welfare,
No.807, Anna Salai,
Chennai - 600 002.
Rep. by its
The Director.
3. The Directorate of School Education,
DPI Complex, College Road,
Chennai - 600 006
Rep. by its Director.
4. The Directorate of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
Rep. by its Director.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the 1st respondents herein to declare the National Public School, Gopalapuram, Chennai 86 run by the Petitioner Society as a Linguistic Minority Institution entitled to the benefits under Article 29 & 30 of Constitution of India.

For Petitioner : Mr.AR.L.Sundaresan, Senior Counsel
for M/s.AL.Gandhimathi
For Respondents : Mrs.P.Kavitha, Government Advocate

O R D E R

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. The Writ Petitioner herein running Educational Institute and sought for minority status from the Government of Tamil Nadu, claiming themselves as Linguistic Minority (Malayalam). Since their application is for the Government not been considered. Hence, the present Writ Petition is filed seeking mandamus directing the 1st respondent herein to declare the National Public School, Gopalapuram, Chennai - 86, run by the Petitioner Society as a Linguistic Minority Institution entitled to the benefits under Article 29 & 30 of the Constitution of India.

3. On notice, the learned Government Advocate appearing for the respondents 1 to 4 would submit that there is no application of the petitioner, pending before the 1st respondent and any declaration of minority status can be considered by the Government, if it is routed through the Directorate of School Education, Chennai and Directorate of Minority Welfare, Chennai, who are arrayed as respondents 2 and 3.

4. Since, it is stated by the learned counsel representing the state that the petitioner has not placed their request through proper channel. It is suffice to direct the 1st respondent herein to consider the application of the petitioner for granting minority status, if it is submitted with all necessary documents.

5. The learned Government Advocate appearing for the respondents would submit that for the grant of minority status for any Educational Institute in Tamil Nadu, the Chief Educational Officer of that District has to forward the proposal to the Directorate of School Education, Chennai and on subject to the satisfaction of the proposal, will forward the same to the Government. In this case, there is no proposal sent to the Chief Educational Officer by the petitioner and therefore, the respondents are not in a position to consider their request. In such circumstances, it is suffice to direct the petitioner to make their application seeking minority status through Chief Educational Officer, if any such proposal is received by the 1st

respondent, shall consider the same and pass appropriate orders, within a period of 8 weeks, from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Education Department,
Fort St.George, Secretariat,
Chennai - 600 009.
2. The Director.
The Directorate of Minorities Welfare,
No.807, Anna Salai,
Chennai - 600 002.
3. The Director.
The Directorate of School Education,
DPI Complex, College Road,
Chennai - 600 006
4. The Director.
The Directorate of Elementary Education,
DPI Campus, College Road, Chennai - 600 006.

+1cc to M/s.AL.Gandhimathi, Advocate sr.56700
+1cc to Government Pleader sr.57350

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nr 20/09/2019

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