IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10184 of 2020
and
W.M.P.No.12387 of 2020

All India Private Educational Institutions Association,
Represented by its State General Secretary,
K.Palaniyappan,
No.5, M.P.Avenue, Majestic Colony,
Chennai-600 093. ...Petitioner

.Vs.

1.The Principal Secretary
Adi Dravidar and Tribal Welfare Department
Fort St.George
Chennai.

2.The Commissioner
Adi Dravidar and Tribal Welfare Department
Ezhilagam, Chennai. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to release the pending SC/ST students Scholarship Arrears due to be reimbursed by the Government till the academic year 2019-2020 insofar as the petitioner-Association members and consequently, direct the respondents to frame a scheme so that the future reimbursement of Scholarship be paid within the same academic year without any inordinate delay by considering the petitioner's representation dated 02.06.2020.

For Petitioner : Mr.K.Vijay Anand
For Respondents: Mr.M.D.Ilayaraja
Government Advocate

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O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ petition is filed seeking mandamus directing the respondents to release the pending SC/ST students

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Scholarship Arrears due to be reimbursed by the Government till the academic year 2019-2020 insofar as the petitioner-Association members and consequently, directing the respondents to frame a scheme so that the future reimbursement of Scholarship be paid within the same academic year without any inordinate delay by considering the petitioners' representation dated 02.06.2020.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. The petitioner is an association consisting a group of educational institutions. It is claimed by the petitioner that the respondents have to release pending SC/ST students Scholarship Arrears due to be reimbursed by the Government till the academic year 2019-2020 and that a scheme has to be framed so that the future reimbursement of scholarship shall be paid within the same academic year without any delay. In other words, it is claimed by the petitioner-Association that SC/ST students studying in all the self financing institutions are entitled to get the scholarship amount to be reimbursed by the Government as per the Central Government Scheme of Free Education.

5. According to the petitioner-Association, there are arrears to be reimbursed by the respondents till the academic year 2019-2020. Therefore, the petitioner-Association has made a representation to the second respondent on 02.06.2020. As the said representation has not been considered, the petitioner has come before this Court and filed the present writ petition.

6. Considering the above stated facts and circumstances and in view of the representation made by the petitioner-Association on 02.06.2020, this Court is of the view that the second respondent has to consider the request of the petitioner and pass orders on the same on merits and in accordance with law. Accordingly, this Writ Petition is disposed of, only with a direction to the second respondent to consider the representation of the petitioner-Association dated 02.06.2020 and pass orders on the same on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary
   Adi Dravidar and Tribal Welfare Department
   Fort St.George, Chennai.

2. The Commissioner
   Adi Dravidar and Tribal Welfare Department
   Ezhilagam, Chennai.

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