



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE **S.VAIDYANATHAN**

W.P. (MD) No.12684 of 2019

and

W.M.P. (MD) No.9424 and 16542 of 2019

N.Lakshmanan

...Petitioner

-Vs-

1. Government of Tamil Nadu,
Rep. by its Principal Secretary,
Higher Education Department,
Fort St. George,
Chennai - 600 009.
2. The Director of Collegiate Education,
D.P.I. Campus,
College Road, Nungambakkam,
Chennai - 600 006.
3. The Joint Director of Collegiate Education,
Madurai Region, Madurai.
4. Madurai Kamaraj University,
Rep. by its Registrar,
Palkalai Nagar, Madurai.
5. The Sub Registrar,
Sub Registrar Office,
Arasaradi,
Madurai District.
6. Rep. by its Trustee,
14, Vallabai Road,
Chockikulam,
Madurai - 2.
7. N.Thiagarajan
8. Saraswathi Narayanan College,
Rep. by its Secretary,
Perungudi,
Madurai - 22.



9. Navanna Charitable Trust,
Rep. by its Trustee N.Palaniappan,
No.11, Arapalayam Main Road,
Vaigai Nagar,
Madurai - 16.

10.N.Palaniappan
11.P.L.Narayanan
12.Agilandam
13.V.Somasundaram
14.D.Rajendran

...Respondents

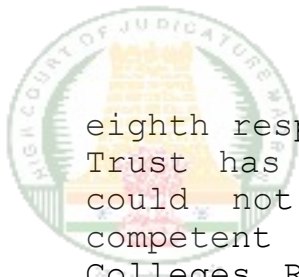
Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to initiate action against the respondents 6 to 14 under Section 27 of the Tamil Nadu Private Colleges (Regulation) Act, 1976 based on the petitioner's representation dated 24.05.2019 and pass orders within a time frame.

For Petitioner	: Mr.M.Saravanan
For Respondents	: Mr.M.Murugan,
1 to 3 & 5	Government Advocate
For Respondent 4	: Mr.T.Sakthikumaran
For Respondents	: Mr.M.Ajmal Khan
6 to 11	Senior Counsel
	for M/s.M.O.Thevankumar
For Respondents	: Mr.K.Kalyana Kumar
12 to 14	

ORDER

This Writ Petition has been filed, seeking a direction to the respondents 1 to 4 to initiate action against the respondents 6 to 14 under Section 27 of the Tamil Nadu Private Colleges (Regulation) Act, 1976 based on the petitioner's representation dated 24.05.2019 and pass orders within a time frame.

2.According to the petitioner, his father Late Narayana Chettiar, created the sixth respondent trust, namely, "Narayanan Chettiar Trust" through a registered Trust Deed dated 29.03.1957 bearing Doc.No.144/1957 for the purpose of promoting education and for imparting knowledge to the society at large. As a Managing Trustee, the petitioner's father had transferred the landed properties measuring to an extent of 16.92 Acres, 1.88 Acres and 2.72 Acres by executing deed of endowment dated 27.06.1967, deed of declaration of Trust dated 05.12.1972 and deed of declaration of Trust dated 27.05.1983 respectively in Thuvariman Village in favour of the eighth respondent college which was started in 1966 with the aid of Government. The documents recite that the income derived from the properties has to be utilised for the administration of the



eightth respondent college. As the properties of the sixth respondent Trust has been misappropriated by the respondents 7 to 14, which could not be alienated without obtaining permission from the competent authority, as per Section 27 of the Tamil Nadu Private Colleges Regulation Act, the petitioner made a representation on 24.05.2019, to the respondents 1 to 4. Since the same has not been considered by the respondents 1 to 4, the petitioner has come forward with the present Writ Petition.

3.Mr.Murugan, learned Government Advocate appearing for the respondents 1 to 3 and 5 would submit that the representation of the petitioner will be considered by the authorities concerned and orders will be passed.

4.Mr.M.Ajmal Khan, learned Senior Counsel appearing for the respondents 6 to 11 would submit that the respondents 6 to 11 are not going to alienate any property belong to the College till the decision is arrived at.

5.This Court without going into the merits of the case, directs the respondent concerned to consider the representation of the petitioner dated 24.05.2019 and pass orders in accordance with law within a period of 120 days from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner as well as other persons, who are likely to be affected, including respondents 6 to 14.

6.Accordingly, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SRM

To

1. The Principal Secretary,
Higher Education Department,
Fort St. George,
Chennai - 600 009.



2. The Director of Collegiate Education,
D.P.I. Campus,
College Road, Nungambakkam,
Chennai - 600 006.

3. The Joint Director of Collegiate Education,
Madurai Region, Madurai.

4. The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai.

5. The Sub Registrar,
Sub Registrar Office,
Arasaradi,
Madurai District.

+1cc to Mr.T.Sakthikumaran, Advocate, SR.No.25622.

+1cc to M/s.Ajmal Associates, SR.No.25487.

+1cc to the SPL GP SR.No.25537.

W.P. (MD) No.12684 of 2019

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TP (CO)

CS (29.01.2021) 4P 9C