



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.1029 to 1034 of 2015
and
M.P.No.1 of 2015 [6MPs]

Immaculate Heart of Mary Hr.Sec.School,
Rep.by The Correspondent,
Church Street,
Ariyankuppam,
Puducherry - 605 007. ...Petitioner in W.P.No.1029 of 2015

St.Josephs Govt.Aided High School,
Rep. by The Correspondent,
Rosario Street, Muthialpet,
Puducherry - 605 003 ...Petitioner in W.P.No.1030 of 2015

Immaculate Heart of Marys Girls Aided High School
Rep. by The Correspondent,
Reddiarpalayam,
Puducherry - 605 010 ...Petitioner in W.P.No.1031 of 2015

Immaculate Heart of Marys High School
Rep. by The Correspondent,
Nellithope,
Puducherry - 605 005. ...Petitioner in W.P.No.1032 of 2015

Jayarani Government Aided High School
Rep. by The Correspondent,
196, Lal Bahadur Street,
Puducherry - 605 001. ...Petitioner in W.P.No.1033 of 2015

Immaculate Heart of Marys Govt. Aided High School
Rep. by The Correspondent,
Villianur,
Puducherry 605 110 ...Petitioner in W.P.No.1034 of 2015

Vs

1.The Union Territory of Puducherry,
Rep.by its Secretary,
Department of School Education,
Secretariat, Puducherry - 605 001.



2.The Director of School Education,
Government of Puducherry,
Directorate of School Education,
Puducherry - 605 005.

3.The Senior Accounts Officer,
Government of Puducherry,
Directorate of School Education,
Puducherry - 605 005.

...Respondents in all WPs

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the Contingent Grant for the last five academic years 2010-2011 to 2014-2015 U/s.15 of the Pondicherry School Education Act, 1987, r/w Rules 32 to 34, as specified in Appendix - I of the Pondicherry School Education Rules 1996, in respect of the petitioner school.

For Petitioner (in all W.Ps)	:	M/s.DR.FR.A.Xavier Arulraj For M/s.A.Arul Mary
For Respondents (in all W.Ps)	:	Mr.R.Syed Mustafa Special Government Pleader (Puducherry) (For R1 to R3)

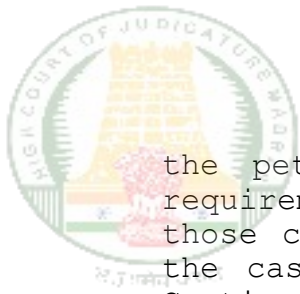
COMMON ORDER

The relief sought for in all these writ petitions is to direct the respondents to release the Contingent Grant for the last five academic years from 2010-2011 to 2014-2015 under Section 15 of the Pondicherry School Education Act, 1987 read with Rules 32 to 34 as specified in Appendix - I of the Pondicherry School Education Rules, 1996 in respect of the petitioners' school.

2. The petitioners are Christian Minority Schools. They are running the Institutions for the benefits of the students from that locality and for providing services. They are imparting quality education and getting the Grant-in-aid from the Government of Puducherry.

3. The grievances of the petitioners are that the Contingent Grant-in-Aid for which they are eligible had not been granted for several academic years. Thus they made an application to sanction the contingent grant-in-aid which has not been considered. Under those circumstances, the petitioners are constrained to move these writ petitions.

4. The learned Special Government Pleader, appearing on behalf of the Government of Puducherry, made a submission that



the petitioners-schools are not complying with the mandatory requirements contemplated under the Act and Rules and under those circumstances, the respondents could not be able to consider the case of the petitioners for the purpose of sanctioning of Contingent Grant-in-Aid. Therefore, the petitioners are not entitled for any relief, as such, sought for in all these writ petitions.

5. This Court is of the considered opinion that whenever an application/request is made for sanctioning of Contingent Grant-in-Aid, the applicants must fulfill all the terms and conditions as well as the requirements contemplated under the provisions of the Act and Rules and also the Government guidelines in this regard. Only in the event of complying with the provisions of the Act and Rules, the applicants are eligible to get Contingent Grant-in-Aid from the Government.

6. When there are certain disputes in the matter of providing informations, accounts, payment of contributions etc., then all such requirements are to be complied with for the purpose of considering the cases of the applicants. In the event of complying with the terms and conditions as well as the provisions of the Act and Rules, the Authorities are bound to consider the application for sanctioning the Contingent Grant-in-Aid to the petitioners.

7. With the abovesaid observations, all the writ petitions stand disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

kak

To

1.The Secretary,
Union Territory of Puducherry,
Department of School Education,
Secretariat, Puducherry - 605 001.

2.The Director of School Education,
Government of Puducherry,
Directorate of School Education,
Puducherry - 605 005.



3.The Senior Accounts Officer,
Government of Puducherry,
Directorate of School Education,
Puducherry - 605 005.

WEB COPY

+6ccs to M/s.Father Xavier Associates, Advocate SR.No.69077

W.P.Nos.1029 to 1034 of 2015

SR(CO)
RVM(10/01/2022)