

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2021

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P.No.4905 of 2021

Muthayammal College of Engineering
rep. By its Administrative Officer,
Kakavery, Rasipuram,
Namakkal District - 637 408.

.. Petitioner

Vs

1.Adi Dravidar Welfare Department
rep. By its Commissioner,
Chepauk, Chennai - 5.

2.Tribal Welfare Department
rep. By its Director,
Chepauk, Chennai - 5.

3.The District Adi-Dravidar and Tribal
Welfare Officer,
District Collector Campus,
Namakkal District.

4.The Assistant Director I,
Local Fund Audit, Namakkal. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents herein to forthwith consider the representations of the petitioner dated 03.02.2020, 26.08.2020 and 11.02.2021 to release the long pending scholarship amount of Rs.15.40 lakhs pending from the academic year 2015-16.

For Petitioner .. Mr.Kandhan Duraisami

For Respondents .. Mr.P.S.Shivashanmugasundaram
Special Government Pleader

ORDER

Seeking a direction to the respondents herein to forthwith consider the representations of the petitioner dated 03.02.2020, 26.08.2020 and 11.02.2021 to release the long pending scholarship amount of Rs.15.40 lakhs pending from the academic year 2015-16, the present writ petition has been filed.

2.It is the case of the petitioner that the petitioner

Institution is run by Muthayammal Educational Trust and Research Foundation with the object of educating students hailing from backward and rural areas. The students belonging to various categories are admitted in the petitioner institution under two streams viz., Government quota and management quota and fees are collected at the rates prescribed by the Fee Fixation Committee. That apart, students belonging to Adi Dravidar, Tribes and Adi Dravidar converted Christians are being granted scholarships similar to that of the students studying in Government and aided institutions, provided the annual income of the parent/guardian shall not exceed Rs.50,920/-. While so, the Government, by G.O.Ms.No.6 Adi Dravidar Welfare Department dated 09.01.2012, modified the eligibility criteria to the effect that the students belonging to Adi Dravidar and Tribes communities studying in self financing institutions from the year 2011-2012 onwards are entitled for scholarship provided the annual income of parent/guardian does not exceed Rs.2 lakhs, as prescribed by the Central Government. In pursuance of the communication of the Commissioner of Technical Education dated 06.08.2014, the petitioner institution filled up the lapsed seats. The Government authorities reimbursed the fees payable on behalf of SC/ST students upto the academic year 2014-2015. Pursuant to the clarification sought for by the District Office of Adi Dravidar Welfare, Namakkal District with regard to discontinuation of two students and payment of management quota fees for lapsed seat category, the petitioner submitted a detailed reply dated 09.11.2016.

3. According to the petitioner, Rs.15.40 lakhs is payable to them towards reimbursement of scholarship for the academic year 2015-2016. Since no steps are taken to reimburse the said amount, the petitioner made a request by letter dated 05.04.2017 to release the said amount. On 09.06.2017, the petitioner received a communication from the local fund audit seeking certain details, to which the petitioner submitted a detailed reply on 29.06.2017. Though the petitioner made several reminders/requests and submitted the details asked by the authorities, the scholarship amount has not been released for the year 2015-2016. Hence the petitioner is before this Court with this writ petition.

4. This Court ordered notice on 02.03.2021 and provided two opportunities to the respondents to file their response. Though Mr.P.S.Shivashanmuga Sundaram, learned Special Government Pleader has taken notice for the respondents, the respondents have not filed any counter nor any written submission.

5. Considering the above, without expressing anything on the merits of the claim made by the petitioner, the respondents are directed to take a decision on the petitioner's representation

dated dated 03.02.2020, 26.08.2020 and 11.02.2021 within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS III)

/TRUE COPY/

Sub-Assistant Registrar

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To

- 1.The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai - 5.
- 2.The Director,
Tribal Welfare Department,
Chepauk, Chennai - 5.
- 3.The District Adi-Dravidar and Tribal
Welfare Officer,
District Collector Campus,
Namakkal District.
- 4.The Assistant Director I,
Local Fund Audit, Namakkal.

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GSM(CO)
KKN 23.04.2021

सत्यमेव जयते

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