



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09-12-2021
CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP Nos.34143 to 34147 of 2014
And
MP Nos.1, 1, 1, 1 and 1 of 2014

Fathima Higher Secondary School,
Represented by The Manager,
Puducherry - 605 001. .. Petitioner in WP 34143/2014

Immaculate Heart of Mary's Girls
Higher Secondary School,
Represented by The Correspondent,
Mission Street,
Puducherry - 605 001. .. Petitioner in WP 34144/2014

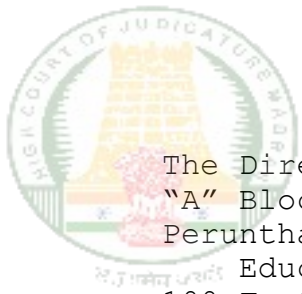
St. Mary's Higher Secondary School,
Represented by The Manager and
Correspondent,
Karaikkal - 609 602. .. Petitioner in WP 34145/2014

St. Antony's Government Aided High School,
Represented by The Manager,
C-115, Marai Malai Adigal Salai,
Puducherry - 605 001. .. Petitioner in WP 34146/2014

Nirmala Rane Girl's Higher Secondary School,
Represented by its Manager,
33, Nehru Street,
Karaikkal - 609 602. .. Petitioner in WP 34147/2014

vs.

The Union Territory of Puducherry,
Represented by its Secretary,
Department of School Education,
Secretariat,
Puducherry - 605 001. .. R-1 in all WPs



The Director of School Education,
"A" Block, I Floor,
Perunthalaivar Kamaraj Centenary
Educational Complex,
100 Feet Road,
Anna Nagar,
Puducherry - 605 053. ..

R-2 in WPs 34143&34147/2014

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

R-2 in WPs 34144, 34145 &
34146/2014

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

R-3 in all WPs

The Chief Educational Officer,
The Office of the Chief Educational Officer,
Karaikkal. .

R-4 in WPs 34145&34147
/2014

Writ Petitions are filed under Article 226 of the Constitution of India, praying for the issuance of Writs of Mandamus, directing the respondents to release the Contingent Grant for the last four academic years 2010-2011 to 2014-2015 under Section 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 petitioners' school.

For Petitioner in all Wps : M/s.A.Arulmary

For Respondents in all WPs: Mr.R.Syed Mustafa,
Special Government Pleader
(Puducherry).

C O M M O N O R D E R

The relief sought for in all these writ petitions is to direct the respondents to release the Contingent Grant for the last four 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.



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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 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 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)

//True Copy//

Sub Assistant Registrar



Svn
To

- 1.The Secretary,
Union Territory of Puducherry,
Department of School Education,
Secretariat,
Puducherry - 605 001.
- 2.The Director of School Education,
"A" Block, I Floor,
Perunthalaivar Kamaraj Centenary
Educational Complex,
100 Feet Road,
Anna Nagar,
Puducherry - 605 053.
- 3.The Senior Accounts Officer,
Government of Puducherry,
Directorate of School Education,
Puducherry - 605 005.
- 4.The Director of School Education,
Government of Puducherry,
Directorate of School Education,
Puducherry - 605 005.
- 5.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Karaikkal.

+5 ccs to M/s.Father Xavier Associates, Advocate Sr.NO. 66062
+1 cc to Government Pleader Pudhucherry Sr.NO.65684,65686,
65687,65690

WPs 34143 to 34147 of 2014

GSM(CO)
A.SK(27.12.2021)