



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.01.2021

CORAM

THE HONOURABLE MR.JUSTICE **V. PARTHIBAN**

W.P.(MD)No.504 of 2021

The Correspondent,
Infant Jesus Matriculation Higher Secondary School,
No.8A/10, Chockalingapuram Street,
Ramanathapuram-623 501,
Ramanathapuram District.

: Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Secretary,
Department of School Education,
Fort St.George, Chennai - 600 009.

2.The Director of Matriculation Schools,
College Road, Chennai - 600 009.

3.The Chief Educational Officer,
Ramanathapuram, Ramanathapuram District.

4.The District Educational Officer,
Ramanathapuram, Ramanathapuram District.

: Respondents

PRAYER :- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the 1st respondent State Government to consider and pass orders forthwith on the petitioner's memorandum to it dated 12.9.2019 and the reminder dated 7.10.2020 seeking for recognising the School, namely, Infant Jesus Matriculation Higher Secondary School, Ramanathapuram, Ramanathapuram District, as a Christian Religious Minority Educational Institution.

For Petitioner
For Respondent

:Ms.A.Amala
:Ms.Lakshmi Prasanna
Government Advocate

ORDER

The petitioner is a School owned and administered by a Society, called "Angelo Rehabilitation Initiatives for Differently Abled (ARIDA)". The Society was registered under the Tamil Nadu Societies Registration Act, 1975. The School is a Religious Minority



Educational Institution in terms of Article 30(1) of the Constitution of India.

2.The School was initially established as High School in 2005 and it was later upgraded as Higher Secondary School in the year 2018 and imparting education upto 12th standard. The medium of instruction is English. There are 1614 students studying in the school with 71 teachers and 20 non-teaching staff being employed by the School. The School is un-aided and running on self finance basis.

3.According to the petitioner, the School has submitted a proposal along with all necessary documents to the State Government for granting of minority status on 12.12.2019. However, the Society, which running the School, was informed to send the proposal through proper channel and to comply with certain other directions, which were essential for consideration of the authorities concerned. After complying with all the formalities, the School resubmitted the proposal on 09.03.2020 and thereafter, there were correspondences between the officials of the Education Department and the School. The petitioner has also been periodically reminding the education authorities, by addressing representation to them. As response was not forthcoming from the Department, the petitioner School is before this Court.

4.When the matter is taken for hearing, the learned Counsel for the petitioner would submit that the School has been periodically approaching the education authorities seeking recognition as a Christian religious minority institution and despite all the required documents being submitted, no action has been forthcoming from the respondents. The first respondent is the competent authority to take a decision in the matter. But, unfortunately, till date, no communication has been received from them as to the status of the proposal of the School seeking minority status.

5.The learned Government Advocate appearing for the respondents would submit that the proposal of the petitioner School is under consideration at the level of the competent authority and if any direction is issued by this Court, the same will be complied with. She would request a reasonable time to be given to the first respondent to process the proposal and take a final decision in the matter.

6.In consideration of the averments contained in the affidavit filed in support of this Writ Petition and also the prayer being sought in the Writ Petition and also in consideration of the submission of the learned Government Advocate appearing for the respondents, this Writ Petition is disposed of with the directions, as under:

6.1.The first respondent is directed to consider the



pending proposal sent by the Society on 09.03.2020, which administering the petitioner School seeking recognition of their Christian minority status and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6.2.While taking a final decision in the matter, the Government may call for any additional materials from the School management, if any such requirement arises, the petitioner School is directed to comply all with additional requirements that may be called for in consideration of their proposal.

No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

- 1.The Secretary,
Department of School Education,
Fort St.George, Chennai - 600 009.
- 2.The Director of Matriculation Schools,
College Road, Chennai - 600 009.
- 3.The Chief Educational Officer,
Ramanathapuram, Ramanathapuram District.
- 4.The District Educational Officer,
Ramanathapuram, Ramanathapuram District.

+1 CC to M/s.GP (SR-2390[F] dated 29/01/2021)

+1 CC to M/s.A.AMALA, Advocate (SR-2501[F] dated 29/01/2021)

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TP (CO)

KK(15.02.2021) 3P 7C