

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.4980 OF 2016

AND

W.M.P.NO.4341 OF 2016

Sri Venkateswara Matriculation School,
rep. by its Correspondent,
Mr.O.R.Kothandapani,
Walajapettai,
Vellore District - 632 513.

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Fort St. George, Chennai - 600 009.
2. The Director of Matriculation Schools,
College Road,
Nungambakkam, Chennai - 600 006.
3. The Inspector of Matriculation Schools,
Thiruvannamalai.
4. State of Tamil Nadu,
Rep. by its Secretary,
Higher Education Department,
Fort St. George, Chennai - 600 009.
5. Director of Collegiate Education,
College Road, Nungambakkam,
Chennai - 600 006.
6. The Regional Director,
Central Board of Secondary Education,
Chennai.

7. National Commission for Minority
Educational Institution,
First Floor, Jeevan Tara Building,
No.5, Sansad Patel Chowk,
New Delhi - 110.

... Respondents

[R4 to R7 suo motu impleaded as per
order dated 25.07.2017]

PRAYER :

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records in pursuant to the rejection order issued by the 2nd respondent vide Na.Ka.No.396/Aa3/2015 dated 30.10.2015 and quash the same.

For Petitioner : Mr.T.P.Prabakaran

For Respondents

R1 to R5 : Mr.M.S.Arasa Kumara
Government Advocate

R6 : Mr.G.Nagarajan

R7 : Mr.M.Suresh Babu
Central Government Standing Counsel

O R D E R

The relief sought for in the present writ petition is to quash the order passed by the second respondent dated 30.10.2015 declining the request made by the writ petitioner for grant of minority status.

2.The Director of Matriculation Schools issued the order impugned pursuant to the directions issued by this Court to consider the representation in W.P(MD).No.18129 of 2014 dated 16.02.2015 and the request made by the petitioner was rejected on several grounds as the requisite documents are not submitted by the petitioner.

3.The learned counsel appearing for the petitioner made a submission that the petitioner has complied with all the conditions except one condition regarding the admission of 50% students.

4.However, this Court is of the considered opinion that the power to grant minority status to the Educational Institutions now vests with the Government pursuant to the orders of the

Hon'ble Supreme Court of India. The Government also constituted a High Level Committee for considering the application for grant of minority status to the Educational Institutions. Therefore, the petitioner is bound to approach the Competent Committee constituted by the Government for the purpose of submission of application and for consideration.

5.This being the factum, the petitioner is at liberty to submit an application in a prescribed format along with all necessary documents to the Committee constituted for consider grant of minority status to the Educational Institutions and in the event of submitting any such application, the Competent Committee has to consider the same on merits and in accordance with law.

6.With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Secretary,
School Education Department,
Fort St. George, Chennai - 600 009.
2. The Director of Matriculation Schools,
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Nungambakkam, Chennai - 600 006.
3. The Inspector of Matriculation Schools,
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First Floor, Jeevan Tara Building,
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New Delhi - 110.

+1cc to Mr.T.P.Prabakaran, Advocate, S.R.No.746

+1cc to the Government Pleader, S.R.No.1597

W.P.No.4980 of 2016

GJ(CO)
PM/10/02/2022