



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7632 of 2022

The Secretary,
MLWA Higher Secondary School,
Madurai.

... Petitioner

vs.

- 1.The State of Tamil Nadu,
represented by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Commissioner of School Education,
College Road, Chennai - 600 006.
- 3.The Chief Educational Officer,
Madurai, Madurai District.
- 4.The District Educational Officer,
Madurai, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent State Government to consider and pass orders forthwith on the petitioner's memorandum to it dated 24.10.2019 and the reminder dated 10.03.2022 seeking for recognising the school namely, M.L.W.A Higher Secondary School, Madurai as a Jain Religious Minority Educational Institution.

For Petitioner :Ms.A.Amala

For Respondents :Mr.N.GA.Nataraj

Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representations, dated 24.10.2019 and 10.03.2022 seeking to recognise the petitioner school as a Jain Religious Minority Educational Institution and pass orders within a time frame to be fixed by this Court.

2.The petitioner claims that they are a Jain Minority Religious Educational Institution. They seek recognition in the said category and for that purpose, they have given representations on 24.10.2019 and 10.03.2022. Since the said representations have not been considered till date, they have filed this Writ Petition.

3.Heard Ms.A.Amala, learned Counsel for the petitioner and Mr.N.GA.Nataraj, learned Government Advocate, who accepts notice on behalf of the respondents.



4.On instructions, the learned Government Advocate would submit that as per G.O.Ms.No.270, dated 17.06.1998, the petitioner educational institution will not fall under the Jain Religious Minority Educational Institution. However, the same is disputed by the learned Counsel for the petitioner and she would reiterate the contents of the affidavit filed in support of this Writ Petition.

5.No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting them the right of personal hearing.

6.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representations, dated 24.10.2019 and 10.03.2022 seeking for recognition as a Jain Religious Minority Educational Institution and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner including granting them the right of personal hearing within a period of four months from the date of receipt of a copy of this order.

7.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

- 1.The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Commissioner of School Education,
College Road, Chennai - 600 006.
- 3.The Chief Educational Officer,
Madurai, Madurai District.
- 4.The District Educational Officer,
Madurai, Madurai District.

+1 CC to M/s.A. AMALA, Advocate (SR-20367[F] dated 22/04/2022)

+1 CC to M/s.SPL.GP. (SR-20505[F] dated 22/04/2022)

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