



W.P(MD)Nos.16818 of 2022 and batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.16818, 16819, 16820, 16821, 16822,
16823, 16824, 16825, 16826 and 16827 of 2022
and

W.M.P.(MD)Nos.12204, 12205, 12211, 12209, 12213,
12208, 12210, 12212 12206 and 12207 of 2022

W.P.(MD)No.16818 of 2022:-

The Correspondent,
A.G.Matriculation Higher Secondary School,
155/1, Perumal Kovil Street,
Near Head Post Office,
Tenkasi District – 627 811.

... Petitioner

Vs.

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

2.The Director of School Education,
College Road,
Chennai – 600 006.

3.The Chief Educational Officer,
Tenkasi – 627 811,
Tenkasi.

4.The District Educational Officer,
Tenkasi – 627 811,
Tenkasi.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue 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 04.01.2022 seeking for recognising the school namely, 'A.G. Matriculation Higher Secondary School, 155/1, Perumal Kovil Street, Near Head Post Office, Tenkasi, Tenkasi District' as a Christian Religious Minority Educational Institution.

For Petitioner : Mr.Isaac Mohanlal,
For M/s.Isaac Chambers.

For Respondents : Mr.V.Om.Prakash,
Government Advocate.

COMMON ORDER

Heard the learned senior counsel for the writ petitioners and the learned Government Advocate for the respondents.

2.The leaned senior counsel for the writ petitioners submits that all the ten educational institutions which are the writ petitioners herein are owned and administered by “The South India Assemblies of God, Tenkasi District.” It is a society registered under the provisions of the Tamil Nadu Societies Registration



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Act. The said society filed O.S.No.1418 of 1978 before the District Munsif Court, Tirunelveli and obtained declaration that it is a religious minority.

According to the learned senior counsel, the petitioners are functioning as minority educational institutions in terms of Article 30(1) of the Constitution of India. It is more so because the aforesaid society is an educational agency for all the petitioners herein. However, the department is insisting that the petitioners must obtain a certificate from the Government certifying that they are minority educational institutions (MEI). The petitioners have individually submitted representations to the first respondent in this regard seeking recognition as a christian religious minority educational institution. The only prayer made in these writ petitions is that the first respondent must consider and pass orders on the said representations.

3.No exception can be taken to the said request. The cases on hand involve the fundamental rights of the writ petitioners herein. Whenever fundamental rights are involved, the Courts as well as the departments must exhibit alacrity. I therefore direct the first respondent to consider the petition mentioned representations. Order thereon must be passed within a period of three months from the date of receipt of a copy of this order.



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4. These writ petitions are disposed of accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

01.08.2022

Index : Yes / No

Internet : Yes/ No

ias

Issue order copy on 03.08.2022

To:

1. The Secretary,
Department of School Education,
Fort St. George,
Chennai – 600 009.
2. The Director of School Education,
College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Tenkasi – 627 811,
Tenkasi.
4. The District Educational Officer,
Tenkasi – 627 811,
Tenkasi.



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G.R.SWAMINATHAN, J.

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