



W.P.(MD) No.7621 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.7621 of 2023

S.Fidelis

... Petitioner

-vs-

- 1.The Inspector General of
Registration (Societies)
100, Santhome High Road
Raja Annamalaipuram
Chennai-600 028
- 2.The Director of School Education
17, College Road
Nungambakkam
Chennai-600 006
- 3.The District Collector
Thoothukudi District Collector Office
National High Way 7A
Korampallam
Thoothukudi District-628 101
- 4.The District Registrar (Societies)
Integrated Building of
Registration Department
Polpettai
Thoothukudi District-628 602



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5.The Chief Education Officer
Saravana Government Higher
Secondary School Campus
Thevarpuram Road
Thoothukudi District-628 002

6.The Jesuits Madurai Province
Maduralaya, Beschi Illam
Post Box No.90
Karur Road
Dindigul District-624 001

7.St.Francis Xavier Higher
Secondary School
97, Great Cotton Road
Thoothukudi District-628 001

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to secure “Xaveriana Campus”, which was meant for Education Purpose and Welfare of the Downtrodden, which was registered under Societies Act, by considering the representation dated 28.03.2023 consequently directing the respondents to secure the “Xaveriana Campus” and for such other relief within the period stipulated by this Court.

For Petitioner : Mr.S.Fidelis
Party-in-Person

For Respondents : Mr.M.Prakash
Additional Government Pleader for R1 & R4
Mr.D.Sadiq Raja
Addl. Government Pleader for R2, R3 & R5



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ORDER

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[Order of the Court was made by R.SUBRAMANIAN, J.]

The complaint of the petitioner seems to be that the respondents 6 and 7 are utilising their property for commercial purpose overlooking the fact that it was established as a Boys Hostel for the benefit of the boys belonging to fishermen community.

2. The respondents 6 and 7 do not fall within the definition of the “State” under Article 12 of the Constitution of India. Issuing a writ under Article 226 of the Constitution of India against them would amount to violation of their right protected under Article 300A of the Constitution of India against their property. Hence, we see no reason to entertain this writ petition.

3. Accordingly, the writ petition is dismissed. No costs.

[R.S.M., J.]

[L.V.G., J.]

05.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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