



WP(MD)No.15870 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.15870 of 2020

Bharathi Vidyalaya Teacher Training Institute,
Rep. By its Correspondent,
M.Nagarajan.

...Petitioner

/Vs./

- 1.The Director,
Adi-Dravidar and Tribal Welfare Department,
Chepauk, Chennai - 600 005.
- 2.The State Council of Educational Research and Training,
Dpi Campus, College Road, Chennai - 600 006.
- 3.The Principal,
District Institute of Education and Training,
Pudukottai - 622 004, Pudukottai District.
- 4.The District Adi-Dravidar Welfare Officer,
Pudukottai, Pudukottai District.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondents to disburse the Adi-Dravidar Welfare (SC) Scholarships to the I and II Year Students of Elementary Diploma in Teacher Education (Elementary D.T.Ed.,) Course of the petitioner-Institute for the academic year 2017-2018 considering the letter Na.Ka.No.1187/A6/2018 dated 28-03-2019 of the 3rd Respondent and the representation dated 22-02-2020 of the petitioner Institute, within a time limit to be fixed by this Court.



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For Petitioner : Mr.K.Seemaraj

For Respondents : Mr.P.Thambidurai

Government Advocate

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the first and second respondents to disburse Adi Dravidar Welfare (SC) Scholarships for the I and II year students, who were admitted by the petitioner institution, by considering the representation made by the petitioner on 22.02.2020.

2. Heard Mr.K.Seemaraj, learned counsel for the petitioner and Mr.P.Thambidurai, learned Government Advocate for the respondents.

3. The case of the petitioner is that it is a self financing private Teacher Training Institute recognised by NCTE to offer two years Elementary Diploma in Teacher Education course. The further case of the petitioner is that initially an intake was permitted for 50 students per year and subsequently, it was increased to 100 students from the year 2007 onwards. According to the petitioner, the students who were admitted by the petitioner institution are verified at the district level and zonal level by the concerned authorities belonging to the third respondent and it is also approved by the second



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respondent.

4. It is stated that the students belonging to the SC and ST community who were sanctioned Adi Dravidar Welfare Scholarship by the first respondent, on recommendation of the second and third respondents, are admitted to the institution. Insofar as these students are concerned, payment is made by the Government and nothing is collected from the students. Accordingly, during the academic year 2016-17, totally 39 students were admitted in the I year and this admission was approved by the second respondent. This batch completed I year and were continuing II year of the course during the academic year 2017-18. Likewise, a fresh batch of students numbering 37 joined during the academic year 2017-18.

5. The grievance of the petitioner is that the second respondent did not forward the scholarship applications to the first respondent and as a result, the first respondent did not sanction and disburse the scholarship amount to the eligible candidates and as a result, the students were undergoing the course without remitting any tuition fee. One batch of students had also completed the course in the year 2018 had left the institution.

6. It is under these circumstances, the petitioner had made representation



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dated 22.02.2020 to the respondents to disburse the amount that is due and payable to the petitioner. Since the same was not considered, the present writ petition has been filed.

7. When the matter came up for hearing on 05.10.2023, it was brought to the notice of this Court that the concerned course was withdrawn from the year 2019 on the ground that there were no sufficient admissions made by the petitioner institution. In view of the same, the present writ petition confines itself to the students, who were admitted during the academic year 2016 – 2017, till the course was brought to an end in the year 2019.

8. The second and third respondents filed a counter affidavit. The relevant portions in the counter affidavit are extracted hereunder:-

“4. With regard to averments, made in para 7 of the affidavit, it is submitted that the last date for submitting II year scholarship hard copy (Proposals) was 26-03-2018 and hence the 3rd Respondent should submit scholarship proposal to the 2nd Respondent before 26.03.2018. Instructions have been given to all the private Teacher Training Institutes including the petitioner's Institute. But, the petitioner has applied for all the 39 students through online on 30.05.2018 in 3 batches. (Batch No.1 - 20170001 for 30 students, Batch No.2-20170002 for 04 students, Batch No.3-20170003 for 05 students) i.e. after the last



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date as mentioned above. The Scholarship proposals received from the other private Institutes have submitted to the 2nd Respondent by the 3rd Respondent. The petitioner has submitted the hard copies of the Scholarship proposals on 21-08-2018 only, after the delay of 04 Months and 25 days i.e. 145 Days and the proposal was submitted to the 2nd Respondent on the same day (21-08-2018). Hence, the scholarship proposal could not be considered due to belated submission.”

9. Heard Mr.K.Seemaraj, learned counsel for the petitioner and Mr.P.Thambidurai, learned Government Advocate for the respondents.

10. The short issue that arises for consideration in the present writ petition is with regard to disbursement of the Adi Dravidar Welfare Scholarship for the students, who were admitted by the petitioner institution under the said scheme. The entitlement of the disbursement of the scholarship amount is relatable to the relevant government orders passed in G.O.Ms.No.6, Adi Dravidar and Tribal Welfare Department, dated 09.01.2012 and G.O.Ms.No.92, Adi Dravidar and Tribal Welfare Department, dated 11.09.2012.

11. The aforesaid government orders along with the object of the scheme, was considered in detail by the Division Bench of this Court in WP(MD)No.



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22410 of 2016 by order dated 22.12.2022. This judgment considered in detail the object behind the scheme and the method of implementation of the scheme to disburse the scholarship amount to the institution, which admits the students under the scheme. In view of the same, it will suffice if a direction is given to the first respondent to deal with the representation made by the petitioner for disbursement of the scholarship amount in line with the judgment passed by the Division Bench of this Court in WP(MD)No.22410 of 2016 by order dated 22.12.2022.

12. This writ petition is disposed with a direction to the petitioner to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order. The first respondent shall consider the same in line with the relevant government orders and in light of the order passed by the Division Bench in WP(MD)No.22410 of 2016 dated 22.12.2022 and shall pass final orders within a period of three months from the date of receipt of a copy of this order. No costs.

09.10.2023

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

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N.ANAND VENKATESH, J.

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Order made in
W.P.(MD)No.15870 of 2020

Dated:
09.10.2023