



W.P.No.27289 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 23.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.27289 of 2008

and

M.P.No.01 of 2009

Madras Christian College
Higher Secondary School,
46, Harrington Road,
Chetpet, Chennai.

....Petitioner

Vs

1. The Government of Tamil Nadu,
Rep. By Special Commissioner & Secretary to Government,
Education (HS-2) Department,
Fort St. George, Chennai.
2. The District Education Officer,
Dept. of School Education,
South Chennai,
Egmore, Chennai- 600 008.
3. Director of School Education,
College Road,
Chennai – 600 006.

....Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Declaration declaring that the impugned G.O.Ms.No.898 dated 26.05.1988 passed by the 1st Respondent, is not applicable insofar as petitioner, a Minority Institution under Article 30(1) is



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concerned.

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For Petitioner : Mr.Sanjay Mohan
for. Mr.S.Ramasubramaniam
For R1 to R3 : Mr.T.M.Rajangam
Government Advocate

ORDER

The Writ Petition has been filed to declare that the impugned G.O.Ms.No.898 dated 26.05.1988 passed by the 1st Respondent, is not applicable insofar as petitioner, a Minority Institution under Article 30(1) is concerned.

2. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that, similar Writ Petition filed in W.P.No.19370 of 2023 was dismissed by this Court relying on the Division Bench judgement of this Court in Writ L.R.308 (The Secretary, St Joseph's College (Autonomous), Tiruchirapalli Vs. The State of Tamil Nadu & Others. Against the dismissal, Madras Christian College Association filed SLP before the Hon'ble Supreme Court of India and it is pending.



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3. The learned counsel for the respondent submitted that, this Writ Petition may be disposed on the basis of the dismissal of W.P.No.19370 of 2003 subject to the outcome of the matter pending before the Hon'ble Supreme Court of India.

4. In view of the submission that similar Writ Petition in W.P.No.19370 of 2003 was dismissed, this Writ Petition is also dismissed with liberty to the petitioner to take appropriate action on the basis of the disposal of the SLP filed in Diary No.36470 of 2017 on the file of the Hon'ble Supreme Court of India.

5. Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

23.02.2024

Index :Yes/No
Internet:Yes/No
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G.CHANDRASEKHARAN, J

Sma

To

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