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W.P.Nos.27637 of 2008 and 13840 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.27637 of 2008 and 13840 of 2012

The Tamil Nadu Catholic Minorities Welfare
Association – Choolaimedu
Rep. by its Secretary ... Petitioner in W.P.27637/2008

The Federation of the Catholic Faithful
rep. by its General Secretary ... Petitioner in W.P.13840/2012

Vs.

- 1.The Government of Tamil Nadu,
Rep. By its Secretary,
Higher Education Department,
Fort St. George,
Chennai – 600 009.
- 2.The Director of Collegiate Education
EVK Sampath Building,
College Road,
Chennai – 600 006.
- 3.The Regional Joint Director of Collegiate Education,
(Govt. B.Ed., College Campus),
Saidapet, Chennai – 600 015.
- 4.The Governing Body of Loyola College,
Rep. by its Chairman,
St.Mary's Residence,
Dindigul – 624 001.
- 5.The Management of Loyola College,
Rep. By its Secretary,



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Chennai – 600 034.

... Respondents in W.P.27637/2008

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- 1.The Government of Tamil Nadu,
rep. by its Secretary,
Education Department,
Fort St. George,
Chennai – 600 009.
 - 2.The Director of Collegiate Education
EVK Sampath Building,
9th Floor,
Chennai – 600 006.
 - 3.The Regional Joint Director of Collegiate Education,
Chennai Region, B.Ed. College Campus,
Chennai – 600 015.
 - 4.The Chair Person, Governing Body,
Stella Maris College,
St.Thomas Convent,
Kutchery Road,
Chennai – 600 004.
 - 5.The Secretary,
Stella Maris College,
17, Cathedral Road,
Chennai – 600 086.
- ... Respondents in W.P.13840/2012

Prayer in W.P.No.27637 of 2008:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 herein to verify and monitor the fee structure levied and collected by the fifth respondent college in so far as the aided course of study is concerned as per the norms fixed by the first respondent and to appoint a permanent committee to determine the nature of fee to be levied by the colleges functioning within the State of Tamilnadu in general and in



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particular with the fifth respondent college the unaided course of study in terms of the decision rendered by the Hon'ble Apex Court in the TMA Pai.

Prayer in W.P.No.13840 of 2012:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 herein to verify and monitor the fee structure levied and collected by the fifth respondent college in so far as the aided section of course of study and consequently refund the excess fee over and above the Government approved fee collected from all the students studying in the academic yea 2011-2012 under the fifth respondent college as represented in the representation dated 09.03.2012.

For Petitioners : Mr.S.Zahir Hossain
for M/s.R.D.Ashok
in W.P.No.27637 of 2008
No Appearance
in W.P.No.13840 of 2012

For Respondents : Mr.K.Surendran for R1 to R3
Additional Government Pleader
Mr.P.Godson Swaminathan for R4 & R5
in both W.Ps.

COMMON ORDER

The petitioners have filed these writ petitions seeking direction to the respondents 1 to 3 to verify and monitor the fee structure levied and collected by the fifth respondent college in so far as the aided



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section of course of study is concerned.

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2.It is represented by the learned Additional Government Pleader that the Government issued Government Order constituting a Committee under the Chairmanship of Hon'ble Retired Judge for fixation of fee structure in respect of self – financing courses in Government Aided Arts and Science Colleges and Self – financing Arts and Science Colleges, however, presently there is no Committee and a fresh Committee is yet to be formed.

3.In view of the above, no order needs to be passed in these writ petitions. The petitioners are at liberty to canvass all the points and work out their remedy in the manner known to law before the Committee that is to be constituted under the Chairmanship of Hon'ble Retired Judge for fixation of fee structure in respect of self – financing courses in Government Aided Arts and Science Colleges and Self – financing Arts and Science Colleges.

4.The writ petitions are accordingly closed. No costs.

28.08.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Secretary,
Higher Education Department,
Fort St. George,
Chennai – 600 009.
- 2.The Director of Collegiate Education
EVK Sampath Building,
College Road,
Chennai – 600 006.
- 3.The Regional Joint Director of Collegiate Education,
(Govt. B.Ed., College Campus),
Saidapet, Chennai – 600 015.



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M.DHANDAPANI,J.
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