



WEB COPY

W.P.No.2202 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2202 of 2018

M/s.St.John Special Higher Secondary School
for differently-abled

... Petitioner

Vs.

1. The State Commissioner for Differently-Abled,
No.5, Kamarajar Salai,
Chennai – 600 005.

2. The District Collector,
Villupuram District,
Villupuram.

3. The District Differently-Abled,
Welfare Officer,
Villupuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay the food aid and teacher aid to the petitioner's School for the year 2015-2018.

For Petitioner

: M/s.Parthasarathy

For Respondents

: Mr.P.Balathandayutham,
Special Government Pleader



ORDER

The learned Government Pleader appearing on behalf of the respondents brought to the notice of this Court that the petitioner herein M/s.St.John Special Higher Secondary School for Differently Abled had filed a writ petition in W.P.No.31911 of 2012 and this Court passed final orders on 10.10.2022, reads as follows:

“9. A reading of the impugned order passed by the 3rd respondent/ The State Commissioner for Differently Abled indicates that order has been passed without giving opportunity to the petitioner for being heard. The grant is also for paying rent and for feeding inmates etc. Though, there was suppression by the petitioner, the 3rd respondent may consider if any amount could have be granted to the petitioner towards feeding charges.

10.Considering the above, the impugned order is quashed and remitted the case back to the respondents to pass a fresh order on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. All the issues are left open to the petitioner to decide by the 3rd respondent. The petitioner is



WEB COPY

W.P.No.2202 of



entitled to make additional submissions, if any, before the 3rd respondent in the aforesaid proceedings.

11. Accordingly, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.”

2. In view of the fact that the said writ petition has been disposed of, all further claims are to be made subject to the further enquiry by the authorities on merits and in accordance. However, the said enquiry is directed to be completed as expeditiously as possible.

3. With these observations, this Writ Petition stands disposed of. No costs.

31.01.2024

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order



To



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S.M.SUBRAMANIAM, J.

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