



WEB COPY

W.P.No.31765 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.31765 of 2023

S.Harith Kumar Adhithya

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary to Higher Education,
Higher Education Department,
Fort St. George, Chennai – 600 009.

2.The Director of Technical Education,
Directorate of Technical Education,
No.53, Sardar Patel Road, Anna University,
Guindy, Chennai – 600 028.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 1st respondent in Letter No.2811730/J1/2022-1 dated 10.05.2023 and the consequential proceedings passed by the 2nd respondent in his proceedings Letter No.10627/J4/2022 dated 18.05.2023 and quash the same and consequently direct the respondents to follow and implement Education Department G.O.Ms.No.1699 dated 14.09.1978 and thereby to grant reimbursement of tuition fees for academic year 2021-2022



including CDC and book fees and hostel fees for the children of Government servants dying in harness.

WEB COPY

For Petitioner : Mr.I.Arokiasamy
For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

The order of rejection, rejecting the claim of the petitioner to grant reimbursements of tuition fee paid by the petitioner for Academic Year 2021-2022 including CDC and book fees and hostel fees for the children of Government servants dying in harness is under challenge in the present writ petition.

2. The father of the writ petitioner Mr.B.Sivakumar was employed as Head Master in Panchayat Union Primary School, Ayan Kunjaram under the control of AEEO Office, Ulundurpet and died on 18.12.2009 while he was in service. The petitioner after completing +2 course joined B.Tech (CSE-AI and ML) course at SRM College of Engineering and Technology, Trichy during the Academic Year 2021-2022. He is pursuing the course. The petitioner submitted an application for reimbursement fees paid to the College.



WEB COPY

3. The counter affidavit filed by the Commissioner of Technical Education would reveal that the petitioner is studying in SRM University, Science and Technology, Trichy District, which is a deemed university and it is not affiliated to Anna University and not under the control of the Directorate of Technical Education. However, the petitioner can apply through District Educational Officer or Directorate of School Education and get the scholarship as per the guidelines quoted in the G.O.Ms.No.169, School Education Department dated 03.10.2023.

4. Therefore, it is made clear that the petitioner cannot claim under G.O.Ms.No.1699 dated 14.09.1978, but the petitioner is at liberty to submit a fresh application under the Government order in G.O.Ms.No.169, School Education Department dated 03.10.2023 and such an application should be submitted through the District Educational Officer or Directorate of School Education as the case may be. In the event of submitting any such application, it should be considered based on the G.O.Ms.No.169 dated 03.10.2023.



WEB COPY

W.P.No.31765 of



5. With this liberty, this Writ Petition stands disposed of. No costs.

01.04.2024

(1/2)

Jeni

Index : Yes

Neutral Citation : Yes

Speaking order / Non-speaking order

To

1.The Government of Tamil Nadu,
Represented by its Secretary to Higher Education,
Higher Education Department,
Fort St. George, Chennai – 600 009.

2.The Director of Technical Education,
Directorate of Technical Education,
No.53, Sardar Patel Road, Anna University,
Guindy, Chennai – 600 028.



WEB COPY



W.P.No.31765 of

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.31765 of 2023

01.04.2024
(1/2)