



WEB COPY



W.P.(MD) No.18716 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.18716 2024

and

W.M.P.(MD)No.15842 of 2024

H.M.Ahamed Abdul Cader

...Petitioner

-vs-

1.The Government of Tamil Nadu,
Rep.by its Secretary,
Welfare of Differently Abled Persons Department,
Fort St.George, Chennai-600 009.

2.The Commissioner,
Commissionerate of Welfare of Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai-600 005.

3.The District Differently Abled Welfare Officer,
District Collector Office Campus,
Korumpallam, Thoothukudi-628 101.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, to direct the respondents to disburse the teaching grant to the special educators and physiotherapist in the Thulir School for Special Children based on the second respondents sanction orders dated 02.11.2021, 04.08.2022,



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03.07.2023 and 24.05.2024 and also the representation of the petitioner dated 23.05.2023 and 10.01.2024 within the time stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.J.Amjadkhan
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the respondents to disburse the teaching grant to the special educators and physiotherapist in the Thulir School for Special Children based on the second respondents sanction orders dated 02.11.2021, 04.08.2022, 03.07.2023 and 24.05.2024 and also the representation of the petitioner dated 23.05.2023 and 10.01.2024 within the time stipulated by this Court.

2.Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the respondents and perused the materials available on record.

3.The case of the petitioner is that the petitioner is the founder of the School namely, Thulir School for Special Children, which was



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established in the year 1999 and a Trust has also been established for the welfare of the School in the year 2003. Though the recognition has been sanctioned for the School upto the year 2021, thereafter, the same has not been sanctioned. The application for renewal of recognition is pending for consideration. Further, though the sanction order for teaching grant was passed every year, the third respondent failed to disburse the amount. Hence, the petitioner submitted a representation to third respondent seeking disbursal of teaching grant. Since the same was not considered, the petitioner has filed this writ petition.

4.The learned Government Advocate for the respondents submitted that since the petitioner, by letter dated 28.10.2022 had requested the third respondent to disburse the teaching grant in a separate account stating that the School has been relocated and new account has been created, he was directed to submit a full-fledged proposal along with the list of Student and Teachers, Audit Reports. If such proposal is submitted, the same will be considered and the amount will be disbursed with the concurrence of the District Collector.

5.It is to be noted that some of the trustees of the petitioner's



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Trust had objected for disbursal of the teachers grant in the account mentioned by the petitioner stating that the petitioner along with some other trustees are involving in misappropriation of Trust funds.

6.Taking note of the above said submissions, the petitioner is directed to submit a fresh proposal along with the documents as required by the third respondent. On receipt of the same, the third respondent is directed to consider the same on its own merits and pass appropriate orders in accordance with law, after hearing the trustees, who objected for disbursal of teachers grant in a different account within a period of two months from the date of receipt of a copy of this order.

7.With the above directions, this writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

21.08.2024

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

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N.SATHISH KUMAR, J.

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