



W.P.(MD) No.29539 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2024

CORAM:

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

W.P.(MD) No.29539 of 2024

R.Manibharathi

... Petitioner

-vs-

- 1.The Vice Chancellor
The Tamilnadu Dr.Ambedkar
Law University
Poompozhi, No.5
Dr.D.G.S.Dinakaran Salai
Chennai-600 028
- 2.The Principal Secretary
Department of Law, Courts and Prisons
State of Tamilnadu
State Secretariat
Fort St.George
Chennai-600 009
- 3.The Principal Secretary
Department of Higher Education
State of Tamilnadu
State Secretariat
Fort St.George
Chennai-600 009



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4.The Director of Legal Studies
Directorate of Legal Studies
Purasaiwalkam High Road
Kilpauk
Chennai-600 010

5.The Principal
Government Law College
Madurai
Dr.SVKS Thangaraj Road
Tallakulam
Madurai-625 020

6.The Principal
Government Law College
Tirunelveli
Sankarankoil -
Tirunelveli Road
Palayamkottai
Tirunelveli-627 011

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents to establish Men's Hostel in Government Law College, Tirunelveli, with mess and all adequate basic facilities to accommodate the students consequently direct the respondents to commence Mess Facility in Government Law College, Madurai for providing healthy and hygienic food to the students in accordance with law, within a time stipulated by this Court.



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For Petitioner : Dr.R.Alagumani

For Respondents : Mr.B.Brijesh Kishore
Standing Counsel for R1
Ms.D.Farjana Ghoushia
Special Government Pleader for R2 to R6

ORDER

[Order of the Court was made by RMT.TEEKAA RAMAN, J.]

Mr.B.Brijesh Kishore, learned Standing Counsel, takes notice for the first respondent and Ms.D.Farjana Ghoushia, learned Special Government Pleader, takes notice for the respondents 2 to 6.

2. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed under the category of Public Interest Litigation by an Advocate practicing in the Madurai Bench of Madras High Court.

4. The relief sought for in this writ petition is on two folds. The first fold of the prayer is to direct the respondents to establish a Men's Hostel



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in the Government Law College, Tirunelveli, with mess and all adequate basic facilities to accommodate the students therein and the second fold of the relief sought for is to direct the respondents to commence Mess Facility in the Government Law College, Madurai, for providing healthy and hygienic food to the students.

5. With regard to the relief regarding the Government Law College, Madurai, is concerned, this Court, by order dated 08.10.2018 in W.P.(MD) No. 20200 of 2018 filed by the Advocate, who is also a practicing Advocate, has held as follows:

“2. In the counter affidavit filed by the fourth respondent, in Paragraph No.6, it has been stated as follows:-

“6. It is submitted that if the inmates of the Men's Hostel are willing to have mess facility in the Hostel in future, the college administration is ready to provide mess facility in the Men's Hostel subject to the condition that the yearly mess expenses have to be borne by the Hostel inmates by dividing system, at the time of every year admission itself, to avoid complication in monthly settlement.”



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3. In view of the above, we direct the fourth respondent herein to find out from the inmates about the need for the Mess and if the majority of the inmates feel that the Mess is required, needful will have to be done by the fourth respondent.”

6. Learned Special Government Pleader appearing for the respondents 2 to 6, on instructions, would submit that the above directions issued by this Court have been duly complied with and she has also produced a typed set of papers before this Court to show that necessary action has been taken in this matter, however, as the inmates of the Men's Hostel of the Government Law College, Madurai, have not expressed any willingness for opening a Mess, the idea was subsequently dropped.

7. From the above, we are of the view that the above facts took place pre-Covid period. The students, who studied at the relevant point of time, had completed their course and left the College. Now, a separate set of students are studying in the College. However, according to the learned Special Government Pleader appearing for the respondents 2 to 6, till date there is no representation or request made by the students of the Government Law College, Madurai, in this regard, to the authority concerned.



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8. Be that as it may, taking into consideration the facts and circumstances of the case, we are inclined to pass a similar order as that was passed by this Court in W.P.(MD) No.20200 of 2018, *vide* order dated 08.10.2018.

9. Accordingly, we direct the the fifth respondent herein to find out from the inmates about the need for the Mess and if the majority of the inmates feel that the Mess is required, needful will have to be done by the fifth respondent. Such an exercise shall be completed, as expeditiously as possible, preferably on or before 31.03.2025.

10. With regard to the relief regarding commencement of Hostel in the Government Law College, Tirunelveli, learned Special Government Pleader appearing for the respondents 2 to 6 has filed a typed set of papers to show various steps taken by the College Authority in this regard from the year 2018 till date. In fact, as early as on 25.05.2007, the Government, *vide* G.O.Ms.No. 114, Law (LS) Department, has sanctioned expenditure for the construction of Men's Hostel in the Government Law College, Tirunelveli. However, in view of the lack of intake of the students for accommodation in the Government Law College, Tirunelveli and since the students were not opted for Hostel, the



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building that was allotted for running a Hostel, was handed over to the District Administration for other purpose. However, the learned Special Government Pleader would submit that now steps have been taken for allocation of building for running a Hostel in the Government Law College, Tirunelveli and the proposal is pending with the Government.

11. In view of the above submission, the District Collector, Tirunelveli District, is directed to pursue the proposal said to be pending with the Government, as could be seen from the letter dated 03.05.2024, addressed by the fifth respondent, as expeditiously as possible and to make it feasible for allotment of a building or land for construction of building for Hostel purpose in the Government Law College, Tirunelveli.

12. With the above directions, this writ petition is disposed of. No costs.

[T.K.R., J.]

[N.S., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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