



W.P.No.24966 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 18.09.2025

PRONOUNCED ON : 26.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24966 of 2023

Association of Self Financing Professional
Engineering Colleges Affiliated with
Anna University, Tiruchirappalli
(Reg.No. 52/2010) Rep. by its President,
No.6/C-86, 10th Cross (West),
Thillai Nagar,
Tiruchirappalli – 620 018.

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Chennai – 600 009.

2. The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai – 600 005.

3. The Commissioner,
Tribal Welfare Department,
Chepauk, Chennai – 600 005.

4. The Ministry of Social Justice
and Empowerment,
Department of Social Justice Empowerment,
Shastri Bhawan, New Delhi – 110 001.



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(R4 Suo Motu impleaded vide
order dated 28.08.2023 made in
W.P.No.24966 of 2023)

... Respondents

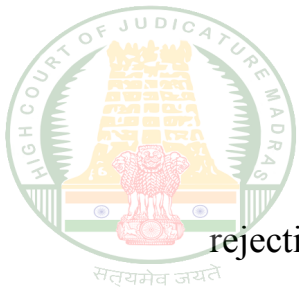
Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondents relating to Letter No.8620/ADW.3/2022-1 dated 25.07.2022 & No.8620/ADW.3/2022-6 dated 23.03.2023 on the file of the first respondent and R.C.No.J1/3760/2022 dated 10.08.2022 on the file of the second respondent and quash the same and directing the respondents herein to forthwith pay difference in scholarship amounts for the academic years 2018-19 to 2020-21 as per G.O.Ms.No.39, Adi Dravidar and Tribal Welfare Department, dated 09.07.2018 read with the clarification issued by the Ministry of Social Justice and Empowerment, Government of India in Letter No.14011/1/2018-SCD-V(Pt.1) dated 05.12.2019. *(Prayer amended as per order dated 26.09.2025 passed by this Court in W.M.P.No.7829 of 2025 in W.P.No.24966 of 2023)*

For Petitioner : Mr.P.Wilson, Senior Counsel
For Mr.P.Wilson Associates

For Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by Mr.E.Sundaram
Government Advocate

ORDER

This Writ Petition has been filed challenging the orders dated 25.07.2022 & 23.03.2023, passed by the first respondent and the order dated 10.08.2022 passed by the second respondent, thereby



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rejecting the request made by the petitioner seeking scholarship for management quota seats in self financing colleges for the Adi Dravidar and Tribal students.

2. The members of the petitioner Association are admitting the students under two streams viz., government quota (category-I) and management quota (category-II). The students sponsored by the government are admitted under government quota and the students applying under management quota are admitted on the basis of merits. The students admitted under both the quotas belong to various categories such as OC, BC, MBC, SC, ST etc. The fees are collected from the students at the rates prescribed by the committee on fixation of fee in respect of self financing professional colleges.

3. The students those belong to Adi Dravidar, Tribes, Adi Dravidar converted to Christianity who are studying in self financing educational institutions under the government quota were being granted scholarship to the extent fixed to such students studying in Government and Aided institutions, provided the annual income of their parents is not exceeding Rs.50,920/-. As per the government order in G.O.Ms.No.6,



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Adi Dravidar and Tribal Welfare, dated 09.01.2012, the government modified the eligibility criteria to the effect that scholarships may be granted to the students belonging to Adi Dravidar/Tribal communities studying in free and payment seats in self financing institutions from the year 2011-2012 for all the courses approved by the government assured to reimburse to the extent of non-refundable compulsory fees at the rates fixed by the Committee, provided the annual income of the parents does not exceed Rs.2.50 lakhs. On implementation of the above order, a sum of Rs.40,000/- was paid for government quota and a sum of Rs.70,000/- was paid for the management quota from the academic year 2012-2013. Thereafter, from the academic year 2017-2018, a sum of Rs.50,000/- was paid for government quota and a sum of Rs.85,000/- was paid for management quota.

4. While being so, the Government of Tamil Nadu issued in G.O.Ms.No.52, Adi Dravidar and Tribal Welfare Department, dated 11.08.2017, thereby restricting the management quota fees equal to the government quota fees. It was challenged before this Court in W.P.(MD).No.17694 of 2017 etc., batch and this Court granted relief for the students and restored the sum of Rs.85,000/- for the management



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quota. During the month of April 2018, the Government of India revised the guidelines with reference to Post-Matric Scholarship (hereinafter referred to as “PMS”) scheme for SC/ST students. However, it was not clear whether the management quota students are entitled to scholarship or not. It was dealt with by this Court by an order dated 15.10.2019 in W.P.No.19141 of 2019 etc., batch.

5. In the meanwhile, the Government of Tamil Nadu passed order in G.O.Ms.No.39, Adi Dravidar and Tribal Welfare Department, dated 09.07.2018, to adopt and notify PMS scheme to Adi Dravidar students within the State of Tamil Nadu from the academic year 2018-19. By the letter dated 05.12.2019, the Ministry of Social Justice and Empowerment, clarified the entitlement of fees for the management quota, provided that two conditions are satisfied. Both the conditions were fulfilled for the academic year 2018-2019 to 2020-2021. The concerned authorities have reimbursed a portion of the scholarship fee of Rs.50,000/- to each student per year, though the students are entitled for reimbursement of Rs.85,000/-.



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6. The Government of Tamil Nadu also passed order in G.O.Ms.No.72, Adi Dravidar and Tribal Welfare Department, dated 15.10.2021, with regard to reimbursement of scholarship amounts from the academic year 2021-2022. Therefore, the petitioner submitted representation dated 25.01.2022, requesting for reimbursement of difference in scholarship amount for the academic years 2018-2019 to 2020-2021, as per the letter dated 05.12.2019 read with G.O.Ms.No.39 Adi Dravidar and Tribal Welfare Department, dated 09.07.2018. It was not considered and as such the petitioner was constrained to approach this Court in W.P.No.9383 of 2022 and this Court directed the respondents to consider the representation submitted by the petitioner, after hearing the petitioner, within a period of twelve weeks. However, the said request was rejected by way of the impugned orders in this writ petition on the file of the respondents 1 & 2 herein.

7. After passing the impugned order dated 25.07.2022, the petitioner was directed to submit explanation for enquiry. Accordingly, the petitioner submitted explanation and thereafter the first respondent passed another similar order dated 23.03.2023. Therefore, the petitioner filed the petition to amend the prayer in W.M.P.No.7829 of 2025 and the same was allowed and accordingly, the prayer was amended.

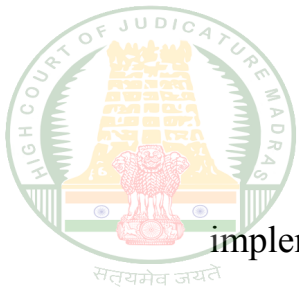


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9. Heard the learned counsel appearing on either side and perused the material placed before this Court.

10. On perusal of the counter affidavit filed by the second respondent as well as the submission made by the learned Additional Advocate General, it is revealed that the government of Tamil Nadu acts as an implementing agency of the scheme of the Government of India namely Post-Matric Schemes and shares the expenditure under the scheme in the ratio of 60:40 between the Union and State. The Government of India also issued guidelines for the effective



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implementation of the scheme from time to time. During the audit, it was noticed that many self financing institutions had subverted the scheme by admitting the management quota seats, while the government quota in the same institutions were kept vacant. It resulted in loss to the State's exchequer. In order to curtail these irregularities, the government passed orders in G.O.Ms.Nos.51 & 52 Adi Dravidar and Tribal Welfare Department (ADW3) dated 11.08.2017. Accordingly, the rates of scholarship payment for management quota seats payable under the scheme were set equal to that of government quota seats.

11. Further, the Government of India issued guidelines with effect from 01.04.2018, wherein it was stated that the fees claimed against the management quota seats, spot admissions seats in any institution will not be reimbursed through the scheme. Accordingly, the State Government had adopted the said guidelines and issued order in G.O.Ms.No.39 Adi Dravidar and Tribal Welfare Department (ADW3) dated 09.07.2018. After receipt of so many representations, the government relaxed the conditions by way of the government orders in G.O.Ms.Nos.51 & 52 Adi Dravidar and Tribal Welfare Department (ADW3) dated 11.08.2017, thereby no student admitted in the year 2017-



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2018 is affected by way of G.O.(Ms.)Nos.71 & 56 Adi Dravidar and Tribal Welfare Department (ADW3) dated 04.07.2019 & 22.04.2020 respectively.

12. On perusal of the records, it is also revealed that the respondents had sent communication to the petitioner dated 18.10.2022 and on receipt of the same, the petitioner's representative had appeared on 26.10.2022 and submitted a written communication. Therefore, this Court finds no infirmity or illegality in the order passed by the respondents and the request made by the petitioner for remittance is not required. Hence, the writ petition is devoid of merits and is liable to be dismissed.

13. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

.09.2025
(1/3)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN. J.

rts

To

1. The Principal Secretary,
Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Chennai – 600 009.

2. The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai – 600 005.

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