



Writ Petition No.45539 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.45539 of 2025

and

W.M.P.No.50723 of 2025

The Secretary
Immaculate College For Women,
Viriyur, Sankarapuram Taluk,
Vilupuram District-606 401.

Petitioner

Vs

1.The State of Tamil Nadu
Rep. By Its Principal Secretary,
Department of Higher Education,
Fort St. George, Chennai-600 006.

2.The Director of Collegiate Education,
Saidapet, Chennai-600 015.

3.The Joint Director of Collegiate Education,
Vellore Region, Vellore-632 006.

Respondents

Writ Petition filed under Article 226 of the Constitution of India
seeking issuance of a Writ of Mandamus prohibiting the respondents from



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insisting the petitioner college to seek declaration of its minority character every year, or once in five years.

WEB COPY

For Petitioner : Ms.I.Abisha Isaac
for M/s.Isaac Chambers

For Respondents : Mr.M.R.Gokulkrishnan
Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus forbearing the respondents from insisting the petitioner college to seek for minority character every year or once in five years.

2. Heard Ms.I.Abisha Isaac, learned counsel for petitioner and Mr.M.R.Gokulkrishnan, learned Additional Government Pleader appearing for respondents.

3. The issue involved in the present writ petition is squarely covered by one of the order passed by this Court in W.P.No.11047 of 2021 dated 10.06.2024. For proper appreciation, the relevant portions are



extracted hereunder:

“This writ petition has been filed challenging order dated 31.08.2017, passed by the first respondent, thereby restricting minority status of the petitioner institution for a limited period of five years from 2017-2018 to 2021-22.

2. This issue is no longer res integra. The Division Bench of this Court in the *State of Tamil Nadu Vs. Secretary/Correspondent, Loyola College (Autonomous)* has held that such restriction cannot be made and the minority status given to a minority Institution will hold good without any restriction of period. The Division Bench has also reserved liberty to the Government to proceed if it finds that there is any change in the constitution of the Educational Agency or if the Institution is run contra to the memorandum of Association/Bye-law of the State. There are other decisions of this Court taking a similar view. To quote one is *Secretary, Jeyaraj Annapackiam College for Women Vs. State of Tamil Nadu* reported in *2013 (8) MLJ 509*.

3. In view of the above binding judicial pronouncements of this Court, the Writ Petition stands allowed. Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.”

4. The above position of law is now too well settled and this Court has repeatedly held that the respondents cannot insist for seeking declaration every year or once in five years. This Court has also made it



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clear that if in case, there is any change in the constitution of the educational agency or if the agency is running contrary to the Memorandum of Association or bye-law of the State, the Government will proceed against the institution and take action.

In the light of the above discussion, this writ petition is allowed as prayed for. No costs. Consequently, connected miscellaneous petition is closed.

24.11.2025

Index:yes/no

Speaking order/Non-speaking order

Neutral citation: yes/no

gm

N.ANAND VENKATESH, J.

gm

To

1.The Principal Secretary,

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State of Tamil Nadu,
Department of Higher Education,
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