



Cont.P.(MD) No.1189 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

Cont.P.(MD) No.1189 of 2025

The Secretary,
St.Ignatius College of
Educational (Autonomous)
Palayamkottai,
Tirunelveli District.

... Petitioner

Vs.

C.Samayamoorthy
The Secretary to the State
of Tamil Nadu,
Department of Higher Education,
Fort St.George, Chennai – 600 006.

... Respondent

PRAYER : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent/contemnor herein for his deliberate and willful disobedience of the order of this Court dated 27.11.2023 in W.P.(MD) No.19289 of 2021.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Issac Chambers

For Respondent : Mr.Ajmal Khan,
Additional Advocate General – I
Assisted by Mr.P.T.Thiraviam
Government Advocate



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ORDER

The petitioner has filed this Contempt Petition to punish the respondent/contemnor for his deliberate and wilful disobedience of the order of this Court dated 27.11.2023 passed in W.P.(MD) No.19289 of 2021. This Writ Petition was filed by the petitioner for the following relief:

“for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned G.O(MS) No. 154, Higher Education (E1) Department, dated 06.08.2021 issued by the 1st respondent State Government quash the same and further direct the 1st respondent State Government to issue orders forthwith recognizing the status of the petitioners college as a Christian Religious Minority Educational Institution.”

2. This Court has passed the following order in the above Writ Petition:

14. The issue that has been dealt with by the learned Single Judge by taking into consideration the Judgments of the Hon'ble Apex Court rendered by the Larger Bench, was not placed before the Division Bench and the Division Bench did not have an opportunity to consider the Judgment of the learned Single Judge in W.P.(MD).No.5175 of 2014 dated 08.06.2023. In any case, I am bound by the Judgment of the Division Bench and it is not necessary to go into this issue in this case, since the impugned Government Order is unsustainable



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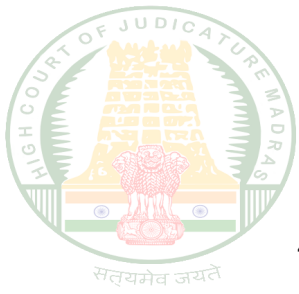
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*even as per the clarity given by the Division Bench in the case of **The Justice Basheer Ahmed Sayeed College for Women (Autonomous), Represented by its Correspondent Vs. The State of Tamil Nadu, Represented by its Principal Secretary to the Government, Department of Higher Educational, Fort St.George, Chennai-600 009 and others referred supra.***

15. In the light of the above discussion, the impugned Government Order in G.O(MS) No.154, Higher Education (E1) Department, dated 06.08.2021, is hereby quashed. There shall be a direction to the first respondent to deal with the application submitted by the petitioner seeking for conferment of religious minority status and if the petitioner satisfies the requirements otherwise, shall grant the status within a period of three (3) months from the date of receipt of a copy of this order. The interim protection given by this Court during the pendency of this Writ Petition, shall continue till the fresh Government Order is passed.

16. In the result, the Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed

3. The learned Additional Advocate General appearing for the respondent submits that, as on the date when the order dated 27.11.2023 was passed in the above Writ Petition, G.O.(Ms) No.109, Backward Classes, Most Backward Classes and Minorities Welfare (MW1) Department, dated 29.12.2022, had already been issued.



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4. It is submitted that an Empowered Committee has been constituted pursuant to the aforesaid G.O., and a *post facto* G.O.(Ms) No. 49, Backward Classes, Most Backward Classes and Minorities Welfare (MW1) Department, dated 22.06.2024, has been issued. Pursuant thereto, the petitioner was required to submit an application, which was received but returned for technical compliance.

5. It is submitted that, if the petitioner rectifies the defects pointed out, the application will be forwarded to the Nodal Authority under G.O. (Ms) No.109, Backward Classes, Most Backward Classes and Minorities Welfare (MW1) Department, dated 29.12.2022.

6. It is recorded that the application will be processed in accordance with law and in terms of G.O.(Ms) No.109, Backward Classes, Most Backward Classes and Minorities Welfare (MW1) Department, dated 29.12.2022, and G.O.(Ms) No.49, Backward Classes, Most Backward Classes and Minorities Welfare (MW1) Department, dated 22.06.2024. The petitioner is permitted to rectify the defects pointed out and re-submit the application. If such defects are rectified, the respondent is directed to pass appropriate orders within a period of six weeks thereafter.



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WEB COPY 7. Accordingly, this Contempt Petition is closed with the above observations and liberty.

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order



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C.SARAVANAN, J.

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