

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Don Bosco Nursery and Primary School, 130, Madhavaram High Road,  
Perambur, Chennai, Tamil Nadu**

**V/s.**

**The Principal Secretary, School Education Department, Government of  
Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu**

**Case No. 336 of 2019**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Learned counsel for the petitioner filed an application under Order VIII Rule 9 of Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004, to accept the Rejoinder Affidavit alongwith a copy of the rejoinder, submitted by hand before the Commission's Office on dated 25.08.2022, which is also taken on record.

Office is directed to issue notice of the above application to the respondent by registered Ad/e-mail today itself.

Learned counsel for the petitioner has filed the General Body Resolution and Affidavit before the Commission's Office on dated 26.08.2022, which are taken on record.

Learned counsel for the petitioner submitted that he has already filed the Counter Affidavit which is on record.

This is one of the oldest case of this Commission.

On last date of hearing dated 19.07.2022, at the request of learned counsel for the petitioner, last and final opportunity was granted him to file the certified copies of all the relevant documents which he was ready to file on same day but it transpires from the records that the petitioner has not filed said documents till now, wherein the name of Rev. Fr. Tharsius Arockiasamy, Secretary of the Perambur Don Bosco Society is duly mentioned and certified by the registrar of the societies and beneficiary clause is also not available in the MoA of the Society.

Learned counsel for the petitioner again prayed for last and final opportunity to file certified copies of the said relevant documents. In the interest of justice, one more last and final opportunity is granted.

List for final arguments on 14.09.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Madara Da'wathil Islamiyya (MDI) School, C.M. Nagar, Karulai P.O.,  
Nilambur (Via), Mallapuram District, Kerala**

**V/s.**

**The Secretary, General Education Department, Government of  
Kerala, Thiruvananthapuram, Kerala - 695001.**

**Case No. 338 of 2019**

**01.09.2022**

Present: Mr. Prasanth.K, Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth. K appeared on behalf of the arguing counsel  
Mr. Junais P.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Savio Primary School, Lourdes Shrine, Perambur, Chennai, Tamil Nadu -600011.**

**V/s.**

**The Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai , Tamil Nadu.**

**Case No. 340 of 2019**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Learned counsel for the petitioner filed an application under Order VIII Rule 9 of Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004, to accept the Rejoinder Affidavit alongwith a copy of the rejoinder, submitted by hand before the Commission's Office on dated 26.08.2022, which is also taken on record.

Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return envelope to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**The Sana Nursery and Primary School, Old No. 17, New No. 4,  
Varadarajulu Street, Egmore, Chennai, T.N.**

**V/s.**

- 1. Principal Secretary, Health and Family Welfare Department,  
Government of T.N.**
- 2. The Principal Secretary, School Education Department,  
Government of Tamil Nadu, Fort St. George, Secretariat, Chennai,  
Tamil Nadu – 600009**

**Case No. 623 of 2019**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Despite letter by post and e-mail to the members of the Physical Inspection Committee, we have not received any response/Physical inspection report from the members of the said Committee.

Office is directed to issue reminder letter by post and e-mail to the members of the Physical Inspection Committee for sending the report positively before the next date of hearing.

Office is directed to provide a copy of the reminder letter to the learned counsel for the petitioner for perusal.

Learned Counsel for the petitioner is directed to approach the members of the Physical inspection Committee and provide all the relevant documents to the said Committee.

Respondent has sent by post counter affidavit alongwith covering letter dated 08.08.2022 , which is received in the Commission's Office on dated 17.07.2022 and is taken on record.

Office is directed to provide a copy of the Counter Affidavit to the learned counsel for the petitioner.

In the interest of justice, list on 19.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Anne's Girls Pre- University College, K.H. Nagar, Maddur, Mandya  
Dt., Karnataka.**

**V/s.**

**Additional Chief Secretary to Govt., Education Department (Higher  
Education), Government of Karnataka.**

**Case No. 636 of 2019**

**01.09.2022**

Present: Mr. Prasanth.K, Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth. K appeared on behalf of the arguing counsel  
Mr. Junais P.

Learned counsel for the petitioner again prayed for time to comply  
with the Commission's earlier Order dated 20.07.2022. In the interest of  
justice, time prayed for is allowed.

It transpires from the records that there is a variance in student  
strength mentioned in application for grant of MSC and the Physical  
inspection report.

Learned counsel for the petitioner prayed for time to take  
instructions from his client.

In the interest of justice, list on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**New Public School, Kanmpalli, Chintamani, Chikkaballapur Dt.,  
Karnataka.**

**V/s.**

**Additional Chief Secretary to Govt., Education Department (Higher  
Education), Government of Karnataka.**

**Case No. 637 of 2019**

**01.09.2022**

Present: Mr. Prasanth.K, Advocate for the petitioner.  
None for the respondent.

Mr. Prasanth. K appeared on behalf of the arguing counsel  
Mr. Junais P.

In compliance of the Commission's earlier Order dated 02.03.2022,  
the Physical Inspection Committee has sent by post the inspection report  
along with some letters which are in Kannada language and is received in  
the Commission's Office on dated 22.08.2022 and is taken on record.

In the interest of justice, list on 25.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**J.D.E.S. Primary School, Ramdeori, Village & Post ramdeori,  
TehsilNainpur Dt., Mandla, Madhya Pradesh.**

**Vs.**

**Secretary, Room No. 339, Backward Classes and Minority Welfare  
Department, Govt. of MP, Mantralaya, Bhopal, Madhya Pradesh.**

**Case No. 675 of 2019**

**01.09.2022**

Present: None.

None appeared on behalf of the petitioner even in the second round.

On last occasion dated 26.07.2022, none appeared on behalf of the petitioner, even in the second round.

Since nobody has appeared to make any submission and the Commission has waited sufficiently, the Commission has been forced to dismiss the petition.

Hence, the petition is dismissed in default.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Global Public School, No. 26/7-1, 17th Cross, 1st Main Road, Bapuji  
Nagar, Mysore Road, Bangalore, Karnataka - 560026**

**V/s.**

- 1. Principal Secretary, Education deptt. Government of  
Karnataka, Sixth Floor, Multi-storied Building ,  
Bengaluru-560001.**
- 2. The Additional Chief Secretary to Government, Education  
Department, (Higher Education), Government of Karnataka,  
Sixth Floor, Multi-Storeyed Building, Bengaluru – 560001**

**Case No. 742 of 2019**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Learned counsel for the petitioner has filed notarized copy of amended Trust deed before the Commission's Office on dated 26.08.2022, which is taken on record.

Learned counsel for the petitioner submitted that he has filed certified copies of all the relevant documents.

List the case for final arguments on 26.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS



**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Joseph's Women's College of Education, Jayamadha Nagar,  
Jolarpettai, Vellore District, Tamil Nadu - 635851.**

**Vs.**

**Principal Secretary, Higher Education Department, Government of Tamil  
Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu -  
600009.**

**Case No. 188 of 2020**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned counsel for the petitioner submitted that he has filed certified copies of all the relevant documents before this Commission,

Learned counsel for the petitioner submitted that he has filed an application under order VI Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original application for grant of Minority Status Certificate because petitioner has submitted the information that their application for grant of MSC is pending before the State Competent Authority.

Office is directed to issue letter to the State Competent Authority as to whether, the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 27.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Joseph's Primary School, No. 130, Kalathiappa Street, Choolai,  
Chennai, Tamil Nadu - 600112.**

**Vs.**

**Principal Secretary, School Education Department, Government of Tamil  
Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu -  
600009.**

**Case No. 190 of 2020**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned counsel for the petitioner submitted that he has filed certified copies of all the relevant documents before this Commission,

Learned counsel for the petitioner submitted that he has filed an application under order VI Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original application for grant of Minority Status Certificate because petitioner has submitted the information that their application for grant of MSC is pending before the State Competent Authority.

Office is directed to issue letter to the State Competent Authority as to whether the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 27.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

RS

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**R.C.M. High School, Nehru Nagar, Walajabad, Kancheepuram District,  
Tamil Nadu - 631605.**

**Vs.**

**Principal Secretary, School Education Department, Government of Tamil  
Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu -  
600009.**

**Case No. 206 of 2020**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned counsel for the petitioner submitted that he has filed certified copies of all the relevant documents before this Commission,

Learned counsel for the petitioner submitted that he has filed an application under Order VI Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original application for grant of Minority Status Certificate because petitioner has submitted the information that their application for grant of MSC is pending before the State Competent Authority.

Office is directed to issue letter to the State Competent Authority as to whether, the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 27.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Joseph's High School, Kottaikuppam, Pulicat, Thiruvallur District, Tamil Nadu - 601205.**

**Vs.**

**Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009.**

**Case No. 207 of 2020**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned counsel for the petitioner submitted that he has filed certified copies of all the relevant documents before this Commission,

Learned counsel for the petitioner submitted that he has filed an application under Order VI Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original application for grant of Minority Status Certificate because petitioner has submitted the information that their application for grant of MSC is pending before the State Competent Authority.

Office is directed to issue letter to the State Competent Authority as to whether, the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 27.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**R.C.M. Primary School, Walajabad, Kancheepuram District, Tamil Nadu - 635601**

**V/s.**

**Principal Secretary, School Education Department, Government of Tamil Nadu, Fort St. George, Secretariat, Chennai, Tamil Nadu - 600009**

**Case No. 208 of 2020**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned counsel for the petitioner submitted that he has filed certified copies of all the relevant documents before this Commission,

Learned counsel for the petitioner submitted that he has filed an application under Order VI Rule 17 CPC read with Section 12(2) of the NCMEI Act, 2004, seeking permission to amend the Original application for grant of Minority Status Certificate because petitioner has submitted the information that their application for grant of MSC is pending before the State Competent Authority.

Office is directed to issue letter to the State Competent Authority as to whether, the petitioner institution has filed any application for grant of MSC before the State Competent Authority or not.

In the interest of justice, list on 27.10.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Catherine's English Medium School, Raikia P.O., Khandhamal  
District, Odisha - 762101.**

**Vs.**

**Director, Secondary Education, 6th Floor, HOD Building, Unit-V,  
Bhubaneswar, Khordha, Odisha - 751001.**

**Case No. 85 of 2021**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope and postal stamps to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Anthony's Middle School, Tilkimaran, Chaudhuri P.O., Giridih  
District, Jharkhand**

**V/s**

**Director, Primary Education, Dept. of School Education & Literacy,  
Jharkhand**

**Case No. 86 of 2021**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope and postal stamps to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Thomas School, Dhanbasa, Mandro P.O., Sahebganj District,  
Jharkhand - 813208**

**V/s**

**Director, Primary Education, Dept. of School Education & Literacy,  
Dhurwa, Dist. Ranchi, Jharkhand**

**Case No. 87 of 2021**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope and postal stamps to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR



**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Anthony's School, Phulwaria, Kusumghati P.O., Godda District,  
Jharkhand**

**V/s**

**Director, Primary Education, Dept. of S.E. & L Dhurwa, Dist. Ranchi,  
Jharkhand**

**Case No. 88 of 2021**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Learned Counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

Office is directed to return the envelope and postal stamps to the learned counsel for the petitioner.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Christ Jyoti School, Padra, Panmar Sengram, Sidhi District, Madhya Pradesh - 486661.**

**Vs.**

**Secretary, Backward Classes and Minority Welfare Department, Govt. of M.P., Room No. 339, Mantralaya, Bhopal, Madhya Pradesh.**

**Case No. 76 of 2022**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.  
None for the respondent.

Despite service of regd. notice and email, none appeared on behalf of the respondent, even in the second round.

Respondent has sent a letter dated 29.07.2022 by email and post, which were received in the Commission's Office on dated 01.08.2022 and 16.08.2022 respectively and both are taken on record.

Learned counsel for the petitioner filed five documents by hand, before the Commission's Office on dated 26.08.2022, which are taken on record.

Despite giving regd. notice to the respondent, no reply is received from the State Competent Authority so far.

In the facts and circumstances of the case, we deem just and proper that physical inspection report alongwith the recommendations for issuance of minority status certificate to the petitioner institution, may be obtained from the committee consisting of the following members: -

1. Representative of the District Collector (Chairperson)
2. Concerned District Education Officer (Member)
3. District Minority /Welfare Officer/ District Social Welfare Officer (Member Secretary)

Office is directed to issue letter to the above Committee members for submitting the report.

Learned counsel for the petitioner prayed for a copy of the letter issued to the members of Physical Inspection Committee in order to pursue the matter with the Physical Inspection Committee, for inspection of the petitioner institution.

Office is directed to provide a copy of the letter to the learned counsel for the petitioner.

Contd...2/-

**Case No. 76 of 2022**

**01.09.2022**

Learned counsel for the petitioner is directed to provide all the relevant documents to the members of Physical Inspection Committee.

In the interest of justice, list on 02.11.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Maulana Azad Muslim Girls Inter College, Opp. Katghar Railway  
Station Moradabad, Uttar Pradesh - 244001.**

**Vs.**

**Additional Chief Secretary, Department of School Education Govt. of  
UP Bahu Khandi,, Secretariat, Lucknow (UP).**

**Case No. 77 of 2022**

**01.09.2022**

Present: Mr. Nazish Wazir Siddiqui for the petitioner.

Mr. Nazish Wazir Siddiqui appeared on behalf of the petitioner institution and seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**Kisan Public Academy School, Village and Post - Dharampur Kalan,  
Tehsil - Bilari, District - Moradabad, Uttar Pradesh - 202411.**

**Vs.**

- 1. Director, Minority Welfare Department, 6th Floor, Indira Bhawan,  
Lucknow, Uttar Pradesh**
- 2. Additional Chief Secretary, Department of School Education Govt.  
of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

**Case No. 78 of 2022**

**01.09.2022**

Present: Mr. Abdul Jabbar for the petitioner.

Mr. Abdul Jabbar appeared on behalf of the petitioner institution and seeks leave to withdraw the petition with liberty to file a fresh petition for the same relief.

Leave and liberty is granted.

The petition is disposed of as withdrawn.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**St. Paul's Higher Secondary School, Kozhinjampara, Kozhinjampara  
P.O., Palakkad District, Kerala - 678555.**

**Vs.**

**Director, Directorate of minority Welfare, Government of Kerala, 4th  
Floor, Vikas Bhavan, Thiruvananthapuram, Kerala - 695033.**

**Case No. 132 of 2022**

**01.09.2022**

Present: Mr. Jose Abraham, Advocate for the petitioner.

Heard, learned counsel for the petitioner.

Reserved for Orders.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

SR

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**01.09.2022**

**Jothi Nilayam School for Intellectual Disabled, D.No. 10/139A,  
Reetahpuram Town Panchayat, Chevilai, Palappallm Post, Kalkulam  
Taluk, Manniyakumari District, Tamil Nadu - 629159.**

**Vs.**

**Principal Secretary, School Education Department, Government of  
Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil  
Nadu - 600009.**

Present: Mr. Jose Abraham, Advocate for the petitioner.

An application has been received by hand on 23.08.2022, from Jothi Nilayam School for Intellectual Disabled, D.No. 10/139A, Reetahpuram Town Panchayat, Chevilai, Palappallm Post, Kalkulam Taluk, Manniyakumari District, Tamil Nadu - 629159, for grant of minority status certificate. It be registered.

It transpires from the petition that on 08.03.2022, the petitioner has applied for grant of No Objection Certificate to the State Competent Authority i.e. Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, Fort St. George, Secretariat, Chennai, Tamil Nadu – 600009, which was received by the respondent on 10.03.2022, The said petition is still pending. The petitioner has waited sufficiently for a period of 90 days, before filing this petition.

The petitioner has already filed the proof of delivery of the registered AD to the respondent.

Petitioner has filed Resolution Passed by the Governing Body to obtain Minority Status Certificate from this Commission and envelope with postage for sending notice to the State Competent Authority.

On perusal of the petition it is found that validity period of recognition certificate filed by the petitioner has already expired on 31.05.2022.

It also transpires from the petition that in this Un-aided School during the academic year 2020-21 total 86 students were studying and out of them 72 students were from Christian Minority Community, during the academic year 2021-22 total 86 students were studying and out of them 72 students were from the Christian Minority Community and during the academic year 2022-23 total 79 students are studying and out of them 69 students belongs to the Christian Minority Community.

Office is directed to issue notice to the respondent by registered AD/ e-mail.

In the interest of justice, list on 02.11.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.

**GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR MINORITY  
EDUCATIONAL INSTITUTIONS**

**01.09.2022**

**Guidance International School, Near Koyla Toll Plaza Village -  
Wajidpur, Tehsil - Sadar, District - Rampur, Uttar Pradesh - 244901.**

**Vs.**

**Additional Chief Secretary, Department of Secondary Education Govt.  
of UP Bahu Khandi,, Secretariat, Lucknow (UP).**

Present: None.

An application has been received by post on 23.08.2022 from Guidance International School, Near Koyla Toll Plaza Village - Wajidpur, Tehsil - Sadar, District - Rampur, Uttar Pradesh - 244901 for grant of minority status certificate. It be registered.

Perused the office report and it transpires from record that the petitioner has not applied for grant of No Objection Certificate before the State Competent Authority.

The Hon'ble Supreme Court in Civil Appeal No. 3945 of 2018 in case of Sisters of St. Joseph of Cluny vs. The State of West Bengal and Ors. vide order dated 18.04.2018, has held that any person who desires to establish a minority educational institution after the amendment Act of 2006 came into force, must apply only to the competent authority for grant of No Objection Certificate for the said purpose.

All applications for the establishment of a minority educational institution after the amendment Act of 2006 must go to the competent authority set up under the statute.

It also transpires from the records, that the petitioner has also applied before the State Competent Authority for grant of Minority Status Certificate and that application is still pending.

As per law and settled procedure, petitioner cannot apply before this Commission unless and until the Minority Status Certificate application is disposed by the State Competent Authority. Hence this application is not maintainable at this stage.

In this case, office has reported that the petitioner has not filed General Body Resolution to obtain MSC from this Commission, envelope with postage charges for sending notice to the State Competent Authority and Beneficiary clause for concerned Minority is also not available in the Trust Deed filed by the petitioner.

Office is directed to issue show cause notice to the petitioner by e-mail as to why this petition may not be dismissed at this stage.

In the interest of justice, list the case with other similar matters on 15.09.2022.

**JUSTICE NARENDRA KUMAR JAIN  
CHAIRMAN**

**DR. JASPAL SINGH  
MEMBER**

**DR. SHAHID AKHTER  
MEMBER**

A.K.