### Karunya Christian School, Karunya Nagar, Coimbatore, Tamil Nadu - 641114

V/s.

# The Principal Secretary, School Education Department, Government of Tamil Nadu

Case No. 57 of 2019

14.09.2021

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

It transpire from the record that Dr. C. Joseph Kennady, Correspondent, Karunya Educational Research Trust has filed application for grant of MSC.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

List on 25.11.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

### Evangeline Matriculation Higher Secondary School, Karunya Nagar, Coimbatore, Tamil Nadu - 641114

V/s.

### The Principal Secretary, School Education Department, Government of Tamil Nadu

#### Case No. 58 of 2019

14.09.2021

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

It transpires from the petition that out of total 1134 students only 285 students are from Christian Minority Community

It also transpire from the record that Dr. C. Joseph Kennady, Correspondent, Karunya Educational Research Trust has filed application for grant of MSC.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

List on 25.11.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

## St. Joseph's School, Attinkarai, Manavalakurichy, Kulkulam, Kanyakumari District, Tamil Nadu - 629252

V/s.

### The Principal Secretary, School Education Department, Government of Tamil Nadu

#### Case No. 62 of 2019

14.09.2021

Present: Mr. Junais P., Advocate for the petitioner. None for the respondent.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

In compliance of the Commission's earlier Order dated 21.01.2020, learned counsel for the petitioner has filed by hand, envelope and postal stamp for sending notice to the respondent regarding application under Order 8 Rule 9 and Section 151 C.P.C. read with Section 12 of the NCMEI Act, 2004 on dated 09.03.2021. But inadvertently Office has not issued notice to the respondent.

Secretary is directed to enquire the matter and call explanation from the concerned official that in what circumstances Order of this Court has not complied.

Office is directed to issue regd. notice to the respondent for compliance of the earlier Order of this Commission.

Learned counsel for the petitioner filed by hand, notarized copy of the Affiliation Order, before the Commission's Office on dated 08.09.2021, which is also taken on record.

It transpires from the petition that out of total 1788 students only 1437 students are from Christian Minority Community.

It transpires from the record that application for grant of MSC and application dated 15.11.2018 for grant of NOC before the State Competent Authority by Fr. S. Joseph Bernard Rosario, President, Stephen Charitable Trust of petitioner institution. But there is quite difference in the signatures on both applications.

Learned Counsel for the petitioner submitted that same person has signed on both documents and want to file an Affidavit to clarify the above matter.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

List on 25.11.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

### St. Antony's Matriculation School, Mettu Street, Pavithiram Village & Post, District - Thiruvannamalai, Tamil Nadu – 606 806. V/s.

### The Principal Secretary, School Education Department, Government of Tamil Nadu.

#### Case No. 111 of 2019

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

It transpires from the petition that out of total 584 students only 257 students are from Christian Minority Community.

It also transpire from the record that application for grant of MSC and application submitted before the State Competent authority for grant of NOC was filed by Rev. Sr. Belinda, Correspondent, CTC, Vimala Charitable Trust of the petitioner institution.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

Now, fix the case for final arguments on 02.12.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

St. Ann's Matriculation Higher Secondary School, Thapalpetti, Madhavaram, Chennai, Tamil Nadu – 600060.

V/s.

### The Principal Secretary, School Education Department, Government of Tamil Nadu.

#### Case No. 118 of 2019

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner prayed for time to file an application and also certified copies of the relevant documents.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

It transpires from the petition that out of total 3096 students only 822 students are from Christian Minority Community.

It also transpires from the record that application for grant of MSC and application dated 20.12.2018 for grant of NOC filed before the State Competent Authority by Sr. Soumya, Correspondent, St. Ann's Matriculation Higher Secondary School, Thapalpetti, Madhavaram, Chennai of petitioner institution.

It is also transpire from the record that Sr. Pauline Augustine, President of the petitioner institution has filed Affidavit on behalf of the petitioner institution.

List on 02.12.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Carmel Nursery and Primary School, 42, Uppukkara Street, Valangaiman, Tiruvarur District, Tamil Nadu.

V/s.

- 1. Principal Secretary, Higher Education Department, Government of Tamil Nadu.
- 2. Directorate of Elementary Education, D.I.P. Campus College Road, Chennai-600006, Tamil Nadu.

Case No. 143 of 2019

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

Respondent has sent by post Counter Affidavit along with covering letter dated 30.04.2021, which is received in the Commission's Office on dated 17.06.2021, and taken on record.

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

It transpires from the petition that out of total 201 students only 10 students are from Christian Minority Community.

It also transpires from the record that Rev. Sr. Jayanthi Michael, Correspondent, Carmel Matric School has filed application for grant of MSC. Affidavit dated 28.11.2018 is also filed by the same person, but there is quite difference in the signatures.

It also transpires from the record that application dated 12.12.2018 for grant of NOC filed before the State Competent Authority by Sr. Belinda.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

In compliance of the earlier Order dated 23.03.2021, Office has issued notice wrongly to Principal Secretary, Higher Education Department, Government of Tamil Nadu instead of Directorate of Elementary Education, D.I.P. Campus College Road, Chennai-600006, Tamil Nadu.

Office is directed be careful in future and strictly send notices to the right Competetent Authority for compliance of Commission's Order.

Carmel Nursery and Primary School, 42, Uppukkara Street, Valangaiman, Tiruvarur District, Tamil Nadu. V/s.

1. Principal Secretary, Government of Tamil Nadu.

2. Directorate of Elementary Education, Tamil Nadu.

Case No. 143 of 2019

14.09.2021

#### Continue from pre page

In the interest of justice, learned counsel for the petitioner is directed to submit one more envelope and postal stamp with correct address of the respondent no.2 for sending notice to the respondent.

After compliance of the above order by learned counsel for the petitioner, Office is directed to issue notice to the respondent.

02.12.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

#### DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

#### Naipunya Public School, Sea Port - Airport Road, Thrikkakara, Kochi, Ernakulam District, Kerala - 682021 V/s.

### The Secretary, General Education Department, Government of Kerala, Thiruvananthapuram, Kerala – 695001

#### Case No. 677 of 2019

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

Office is directed to issue again notice to the respondent for next date of hearing by email.

It transpires from the petition that Mar. Sebastian Adyantharath, President, Bharata Mata College Education Trust, Ernakulam is the signatory of this MSC application but his name is not available in the certified list of trustees.

Petitioner has filed two unsigned and uncertified list of founding members/trustees and list of present Governing Body members of the Trust.

It also transpires from the petition that out of total 835 students only 287 students are from Christian Minority Community.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

List on 15.02.2022.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Mother Clarac Matriculation School, Kuppangulam, Kumbakonam, Thanjavur District, Tamil Nadu - 612002

V/s.

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

Case No. 678 of 2019

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner prayed for time to file an application.

Learned Counsel for the petitioner prayed for time to file Recognition/Affiliation Certificate of the State/Central Board of Secondary Education (CBSE).

It transpires from the petition that out of total 617 students only 112 students are from Christian Minority Community.

Learned Counsel for the petitioner is directed to file general body resolution of Trust to obtain Minority Status Certificate from this Commission.

List on 15.02.2022.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Mary's School, Thamalam, Poojapura P.O., Thiruvananthapuram District, Kerala - 695102 V/s.

### The Secretary, General Education Department, Government of Kerala, Thiruvananthapuram, Kerala – 695001

#### Case No. 679 of 2019

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner. None for the respondent.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Heard, learned counsel for the petitioner.

Reserved for Orders.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

#### DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Nabajyoti U.P. School, Kerjenga, Pallahara, Angul District, Orissa - 759119

V/s.

- 1. Principal Secretary, School & Mass Education Department, Government of Orissa, Secretariat, Bhubaneshwar, Orissa – 751 001.
- 2. Director, Secondary Education, 6th Floor, HOD Building,Unit-V, Bhubaneswar, Khordha, Odisha

Case No. 834 of 2019

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Ameeruddin Academy of General Technical and Professional Educational Society, Giddalur, District – Prakasam, Andhra Pradesh.

V/s.

The Principal Secretary to Government, Minorities Welfare Department, "D" IBock, Ground Floor, Telangana Secretariat, Hyderabad. ......Respondent

Appeal No. 13 of 2019

14.09.2021

Present: None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

None appeared on behalf of both the parties, even in the second round.

In the interest of justice, list on 08.12.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Madarsa Habibia Lilbanaat, Jalalabad, District- Bijnor, Uttar Pradesh- 246763.

Vs.

Director, Minorities Welfare Department, Indira Bhawan, Lucknow, Uttar Pradesh

Case No. 178 of 2020

14.09.2021

Present: None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

In the interest of justice and due to Covid-19 pandemic, Office is directed to issue notice again to the petitioner by email.

It transpires from the petition that all the total 304 students are Muslim in this institution.

Petitioner has not filed general body resolution of Society to obtain Minority Status Certificate from this Commission.

List on 20.10.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Holy Cross Girls Higher Secondary School, Teppakulam, Tiruchirapalli District, Tamil Nadu - 620002

V/s.

Principal Secretary, School Education Department, Government of Tamil Nadu, Rina Road, fort St. George, Secretariat, Chennai, Tamil Nadu - 60000

Case No. 256 of 2020

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Joseph's Girls Higher Secondary School, Vadugarpet, Lalgudi Taluk, Tiruchirapalli District, Tamil Nadu - 621651 V/s.

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

Case No. 257 of 2020

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

Holy Cross Blossoms Opportunity School for Special Children, Holy Cross College Compound, Teppakulam, Tiruchirapalli District, Tamil Nadu - 620002

V/s.

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

Case No. 258 of 2020

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

St. Xavier English School, Ummatwada, Vanthali, Junagadh District, Gujarat - 362002

V/s.

- 1. Commissionerof Schools, Block No. 9-1, Dr. Jivraj Mehta Bhawan, Gandhinagar, Gujarat.
- 2. Deputy Director, Directors of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat – 382010

#### Case No. 259 of 2020

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

Learned Counsel for the petitioner again prayed for time to comply with the Commission's earlier Order dated 28.08.2020.

It transpires from the petition that out of total 1920 students only 10 students are from Christian Minority Community.

It is also transpire from the record that Fr. Abraham Kizhakkekuttu, President/ Chairman, Saint Thomas Trust Mahuva has filed application for grant of MSC and application dated 22.11.2019 for grant of NOC filed before the State Competent Authority by another person, designation is not mentioned in the said letter and signatures are quite different.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

List on 15.02.2022.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

St. Xavier School, Ummatwada, Vanthali, Junagadh District, Gujarat - 362002

V/s.

- 1. Commissioner of Schools, Block No. 9-1, Dr. Jivraj Mehta Bhawan, Gandhinagar, Gujarat
- 2. Deputy Director, Directors of Schools, Old Sachivalaya, Block 9/1, Gandhinagar, Gujarat 382010.

Case No. 260 of 2020

14.09.2021

Present: Ms. Anju Joseph, Advocate for the petitioner.

Ms. Anju Joseph, Advocate appeared on behalf of the arguing counsel Mr. Jose Abraham.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

It transpires from the petition that out of total 1920 students only 10 students are from Christian Minority Community.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

Learned Counsel for the petitioner again prayed for time to comply with the Commission's Order dated 25.08.2020.

List on 15.02.2022.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER

The Arham Body of Divinity and Excellence, Kesliwala Mansion, Alka Talkies Road, Kareli, Narsinghpur District, Madhya Pradesh - 487221 V/s.

Secretary, Backward Classes and Minority Welfare Department, Government of Madhya Pradesh, Room No. 339, Mantralaya, Bhopal, Madhya Pradesh – 462004

#### Case No. 261 of 2020

14.09.2021

Present: Mr. Junais P., Advocate for the petitioner.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

In compliance of the earlier Order dated 28.10.2020, we have not received any report from the inspection committee

Office is directed to send again reminder letter to the inspection committee for sending inspection report immediately.

Learned counsel for the petitioner submitted that inspection committee has visited the petitioner institution.

Learned counsel for the petitioner filed by hand notarized copy of the recognition and affiliation order of the petitioner institution, before the Commission's Office on dated 08.09.2021, which is taken on record.

Respondent has sent by post a letter dated 08.01.2021, for appointment of Shri H. B. Singh, Shahayak Sanchalak, Backward Class and Minority Welfare, Satpura, Bhopal, Madhya Pradesh which is taken on record.

Respondent has also sent a letter dated 09.11.2020 by post, which is received in the Commission's Office on dated 17.11.2020 and also taken on record.

Office is directed to supply copy of above letters to the learned counsel for the petitioner.

Learned Counsel for the petitioner is directed to file general body resolution of Society to obtain Minority Status Certificate from this Commission.

List on 14.12.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

Rizwan Hussain Kadri Inter College, Bandiya C B Ganj, Bareilly, Abdul Ajeej Village and Post - Tiliyapur C.B. Ganj, Bareilly -243502

#### V/s.

The Principal Secretary, Higher Education, Department of Higher Education, Government of Uttar Pradesh, Bahu Khandi,Secretariat, Lucknow, Uttar Pradesh – 226001

Case No. 400 of 2020

14.09.2021

Present: None.

Due to Covid-19 pandemic and lockdown in the country this case is taken up today, as per the general notice of this Commission.

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

In the interest of justice and due to Covid-19 pandemic, Office is directed to issue notice again to the petitioner by email.

List on 16.11.2021.

#### JUSTICE NARENDRA KUMAR JAIN CHAIRMAN

DR. JASPAL SINGH MEMBER

DR. SHAHID AKHTER MEMBER