

**GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR MINORITY
EDUCATIONAL INSTITUTIONS (NCMEI)**

Case No. 178 of 2023

In the matter of :-

**Our Lady’s Higher Secondary School, 955, T.H. Road, Thiruvottiyur,
Chennai, Tamil Nadu – 600019.**

..... Petitioner

V/s

**Principal Secretary, School Education Department, Government of Tamil
Nadu, Secretariat, Tamil Nadu.**

..... Respondent

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

ORDER

DATED 09.09.2026

Dr. Shahid Akhter, Member, NCMEI

1. This petition has been received on 10.07.2023 by hand through Mr. Jose Abraham, Advocate of the petitioner institution for grant of Minority Status Certificate (in short ‘MSC’) to Our Lady’s Higher Secondary School, 955, T.H. Road, Thiruvottiyur, Chennai, Tamil Nadu – 600019.
2. Learned counsel for the petitioner filed an affidavit of Sr. A. Mary Margaret, President of Thiruvottiyur Auxilium Society in support of the averments made in the petition and also to prove that the beneficiaries of the petitioner institution are members of the Christian minority community and stating therein that the petitioner institution shall not deny admission of eligible candidate of the Christian minority community subject to the eligibility of the students and availability of the accommodation in the petitioner institution.
3. Learned counsel for the petitioner has filed copy of Unique ID No. : TN/2023/0340016 of the petitioner Society as given by the Niti Aayog Portal NGO Darpan, photocopy of application dated 28.06.2022 sent to the State Competent Authority alongwith postal receipt and its tracking report, notarized copies of Certificate of Registration, Memorandum of Association, Rules and Regulations alongwith list of founding members, Amended Memorandum of Association dated 16.05.2022 alongwith list of present members of the Thiruvottiyur Auxilium Society, notarized copy of order dated 26.11.2025 issued by the Joint Director, Director of Private Schools, granting affiliation to the unaided petitioner institution and resolution of the General Body of the Society in favour of Sr. A. Mary Margaret, President of Thiruvottiyur Auxilium Society for obtaining MSC from this Commission.
4. As per the information supplied by the petitioner unaided institution with regard to students strength as on Academic Year 2024-25, it is mentioned that out of total 1074 students, 84 students were from the Muslim minority community, 320 students were from the Christian minority community and 670 students were Hindu and in the year 2025-26, it is mentioned that out of total 1070 students, 82 students were

from the Muslim minority community, 324 students were from the Christian minority community and 664 students were Hindu. It is relevant to mention here that during the academic year 2024-25, out of the total 37 teachers, 30 teachers were from the Christian minority community and 07 teachers were Hindu and in the academic year 2025-26, out of the total 36 teachers, 29 teachers were from the Christian minority community and 07 teachers were Hindu.

5. It is stated in the petition that on dated 28.06.2022, the petitioner institution has applied to the State Competent Authority for grant of NOC which was received by the State Competent Authority on 01.07.2022 and the said application is still pending before the State Competent Authority. The State Competent Authority has not granted NOC in favour of the petitioner institution till now and also not rejected the said application and not communicated the same to the petitioner. After 90 days from the receipt of the application for grant of NOC, the petitioner has filed this petition for grant of MSC to this Commission straightway as per the provisions of Section 10 and 11(f) of National Commission for Minority Educational Institutions (in short 'NCMEI') Act, 2004.
6. After service of registered notice dated 06.11.2023, no reply /response has been received from the respondent. Thereafter in the facts and circumstances of the case, Commission deemed fit and proper that physical inspection report alongwith recommendation may be obtained from the Committee constituted by this Commission for issuance of MSC to the petitioner institution vide order dated 29.11.2023. After service of letter/emails to the physical inspection committee dated 08.01.2024 and reminders dated 27.03.2024, 28.06.2024, 12.09.2024, 06.11.2024, 03.02.2025, 07.04.2025, 21.07.2025 and 22.09.2025. Physical Inspection Committee has sent letter dated 27.02.2026, which was received by post in the Commission's Office on dated 09.03.2026 which was duly signed by all the members of the physical Inspection Committee wherein they have recommended to grant minority status certificate to the petitioner institution.
7. Heard the learned counsel for the petitioner, perused the pleading of the petition, the documents filed by the petitioner and affidavit of Sr. A. Mary Margaret, President of Thiruvottiyur Auxilium Society.
8. Hon'ble Apex Court, various High Courts as well as this Commission in case of Buckley Primary School, Cuttack, Orissa Vs. Government of Orissa (order passed by the Commission in Case No. 1320 of 2009 dated 6.7.2010) have categorically held that the percentage of admission of students from notified minority community in a minority educational institution is not an indicia for determining the minority status of such institution. This Commission has also decided that there must be reasonable strength of students of particular minority community in a minority educational institution. The percentage could be determined based on the actual proportion of specific minority community in the State population as per prevailing census. Population of Christian minority community in the State of Tamil Nadu as per the census of 2011 is 6.12%.
9. The petitioner institution has applied for grant of minority status certificate on the ground that the same has been established primarily for the benefit of the members of the Christian minority community and is being administered by Thiruvottiyur Auxilium Society which is managed and run by the members of the Christian minority community. The aforesaid averments made in the petition find ample corroboration from the documentary evidence produced on behalf of the petitioner institution and the affidavit of Sr. A. Mary Margaret, President of Thiruvottiyur Auxilium Society.

10. I have perused the Amended Memorandum of Association of the petitioner institution which was registered before the Registrar of Societies, Chennai North on dated 16.05.2022 which is before the filing of NOC applications U/s 10 of the NCMEI Act, 2004 dated 28.06.2022 and petition for grant of MSC on dated 10.07.2023. So it is clear that the amendment has been done before the application filed before the State Competent Authority U/s 10 of the NCMEI Act, 2004 and also petition for grant of MSC before this Commission.
11. The Amended Memorandum of Association dated 16.05.2022 for the petitioner society and all the documents produced by the petitioner institution clearly reflects that the beneficiaries of the petitioner institution are primarily the members of the Christian minority community. In addition, the said facts also stands proved from the documents and affidavit filed by the petitioner. There is no document on record to rebut the documentary evidence produced on behalf of the petitioner institution.
12. Relying on the said un rebutted evidence produced on behalf of the petitioner, we find and hold that Our Lady's Higher Secondary School, 955, T.H. Road, Thiruvottiyur, Chennai, Tamil Nadu – 600019 run by Thiruvottiyur Auxilium Society is eligible for grant of minority status on religious basis. The evidence also proves that the said educational institution was established with the main objective of subserving the interests of the Christian minority community.
13. Consequently, Our Lady's Higher Secondary School, 955, T.H. Road, Thiruvottiyur, Chennai, Tamil Nadu – 600019 is declared as an unaided minority educational institution covered under Article 30 of the Constitution of India within the meaning of Section 2(g) of the National Commission for Minority Educational Institutions Act, 2004.
14. A minority status certificate be issued accordingly.
15. In view of the above, the present petition is disposed of in accordance with this order.

Signed, pronounced and published on **Wednesday, 09th Day of September, 2026.**

**DR. SHAHID AKHTER
MEMBER**

DSS