WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 07-07-2026**

CORAM

**THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ**

**WP No.25788 of 2026**

Adithya Nursery and Primary School
Represented by its Correspondent, K.Sivakumar
Sengunthapuram, Jayankondam Union,
Ariyalur District-621 802.

..Petitioner(s)

Vs

1. The Director of Private Schools
   Directorate of School Education,
   DPI Campus, College Road,
   Chennai-06.

2. The District Educational Officer,
   Ariyalur, Ariyalur District.

..Respondent(s)

PRAYER**:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing first respondent/Director of Private Schools- to process the proposal / recommendation forwarded by second Respondent (DEO, Ariyalur) vide Ref.Na.Ka.No.0311/A1/2026, dated 20.05.2026, consider petitioner's application for upgradation of Adithya Nursery and Primary School from a Primary School (LKG to Standard V) to a Middle School (LKG to Standard VIII), and pass appropriate orders thereon in terms of G.O.(Ms) No.51, School Education (MS) Department, dated 02.03.2026, and Rule 8-A of the Tamil Nadu Private Schools (Regulation) Rules, 2023, within a time frame to be fixed by this Court.



https://www.mhc.tn.gov.in/judis

WEB COPY



For Petitioner(s): Mr.E.Vijay Anand

For Respondent(s): Mr.P.Elayaraj Kumar
Government Advocate

**ORDER**

The present writ petition has been filed for a direction to first respondent/Director of Private Schools- to process the proposal/ recommendation forwarded by second Respondent (DEO, Ariyalur) vide Ref.Na.Ka.No.0311/A1/2026, dated 20.05.2026, consider petitioner's application for upgradation of Adithya Nursery and Primary School from a Primary School (LKG to Standard V) to a Middle School (LKG to Standard VIII), and pass appropriate orders thereon in terms of G.O.(Ms) No.51, School Education (MS) Department, dated 02.03.2026, and Rule 8-A of the Tamil Nadu Private Schools (Regulation) Rules, 2023, within a time frame to be fixed by this Court.

2. Petitioner would submit that second respondent/District Educational Officer, Ariyalur after inspecting the school premises on 07.05.2025 and on verifying and being satisfied that petitioner school had complied with all prescribed norms under Annexure-111 to Rule 8(6)(a) of the Rules, forwarded a favourable recommendation/proposal to first respondent/Director of Private Schools vide proceedings in Ref.Na.Ka.No.0311/A1/2026, dated 20.05.2026,



https://www.mhc.tn.gov.in/judis

WEB COPY

recommending grant of permission for upgradation. He would submit that despite the aforesaid recommendation having been duly forwarded by second respondent, first respondent has not passed any order on the proposal till date, without any justification, causing grave prejudice to petitioner and particularly, to the children admitted under the 25% RTE quota under Section 12(1)(c) of the Right to Children to Free and Compulsory Education Act, 2009, who stand to lose continuity of elementary education upon completing Standard V, if the school is not upgraded.

3. Learned counsel for petitioner would submit that in the absence of recognition, there is an imminent danger of petitioner being found to be in infraction of Section 5 and 12 (1)(c) of the Right to Children to Free and Compulsory Education Act, 2009.

4. Learned Government Advocate for respondents would submit that they would consider petitioner's application on its own merits and pass orders, in accordance with law, within a time frame to be fixed by this Court, which was agreed to by learned counsel for petitioner.

5. In view thereof, there shall be a direction to first respondent, to consider petitioner's application dated 08.05.2026 on its own merits, taking into account second respondent's recommendation dated 20.05.2026 and pass



https://www.mhc.tn.gov.in/judis

WEB COPY

appropriate orders, in accordance with law, after affording reasonable opportunity of hearing to petitioner, within a period of ten weeks from the date of uploading of web copy without waiting for the receipt of certified copy. It is made clear that this Court has not expressed any views with regard to the merits of the case.

6. Accordingly, writ petition stands disposed of. There will be no order as to costs.

**07-07-2026**

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MRN

To
1. The Director of Private Schools
   Directorate of School Education,
   DPI Campus, College Road,
   Chennai-06.

2. The District Educational Officer,
   Ariyalur, Ariyalur District.



https://www.mhc.tn.gov.in/judis

WEB COPY



**MOHAMMED SHAFFIQ, J.**

**MRN**

**WP No. 25788 of 2026**

**07-07-2026**



https://www.mhc.tn.gov.in/judis