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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.26072 of 2026

Sri Bharathi Nursery and Primary School,
Represented by its Correspondent,
V.Mahadevan
Gangaikondacholapuram Jayankondam Union,
Udaiyarpalayam Taluk,
Ariyalur District-612 901.

..Petitioner(s)

Vs

1. The Director of Private Schools,
   Directorate of School Education,
   DPI Campus, College Road,
   Chennai – 600006.

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.0273/A1/2026, dated 07.05.2026, consider petitioner's application for upgradation of Sri Bharathi 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.

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

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

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.0273/A1/2026, dated 07.05.2026, consider petitioner's application for upgradation of Sri Bharathi 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 30.04.2026 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

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Schools vide proceedings in Ref.Na.Ka.No.0273/A1/2026, dated 07.05.2026, 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 30.04.2026 on its own merits, taking into

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account second respondent's recommendation dated 07.05.2026 and pass 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 – 600006.

2. The District Educational Officer
   Ariyalur, Ariyalur District.

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MOHAMMED SHAFFIQ, J.

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