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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Orders reserved on : 25.02.2026

Orders pronounced on : **26.03.2026**

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.44358 of 2025
and W.M.P.No.49488 of 2025

Rukmuni Matriculation School,
Rep. by its Correspondent,
N.Syamala Devi

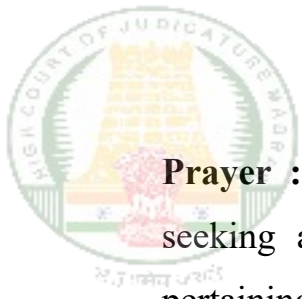
.. Petitioner

Versus

1. The State of Tamil Nadu,
Rep. by its Additional Secretary,
Education Department,
Fort St. George, Chennai – 600 009.
2. The Principal Secretary to Government,
School Education Department,
Fort St. George, Chennai – 600 009.
3. The Director of Private Schools,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai – 600 006.
4. The District Educational Officer,
(Private Schools),
Egmore, Chennai – 600 008.
5. Dr.Geetha Hari Priya @ Geetha Gopalaswamy

.. Respondents

(R5 impleaded vide order dated 25.02.2026 made in
W.M.P.No.5556 of 2026 in W.P.No.44358 of 2025)



Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the entire records pertaining to and connected with the impugned Government Order passed by the 2nd respondent in G.O.(1D) No.84, School Education (MS) Department, dated 16.07.2025 and quash the same and consequently direct the respondents to grant permission and recognition to open Rukmuni Matriculation School, from L.K.G to X Standards and pass such further or other orders.

For Petitioner : Mr.V.Prakash,
Senior Counsel,
for Mr.S.N.Ravichandran

For Respondents : Mrs.S.Mythreye Chandru,
Special Government Pleader
(Education), for RR-1 to 4

: Mr.K.V.Sajeevkumar, for R5

ORDER

This Writ Petition is filed challenging the impugned Government Order passed by the second respondent in G.O. (1D) No. 84, School Education (MS) Department dated 16.07.2025, and to accordingly direct the respondents to grant permission and recognition to open Rukmuni Matriculation School from LKG to 10th Standard and pass such further or other orders.

2. The petitioner's case is that the land and the school building at Q-100-A, MMDA Colony, Arumbakkam, Chennai 600106, measuring 7 grounds and 800 sq.ft., were allotted to the petitioner by the Tamil Nadu Housing Board in 1984 for establishing a school. The petitioner started a school called 'Maruti



Vidyalaya' on the said site, which was operational. The educational agency managing the school was named Maruti Educational Trust. Meanwhile, third parties, including G. Kamala, claimed rights to the school under a partnership deed. Disputes arose between the parties regarding this partnership, leading to civil suits filed in this Court and the City Civil Court, Chennai. Ultimately, the partnership disputes were referred to arbitration, and the Learned Arbitrator passed an award on 18.03.2019, stating that the school was also part of the partnership business. Challenging this, the petitioner filed O.P.No.1068 of 2019. The original petition, filed under Section 34 of the Arbitration and Conciliation Act 1996, was decided in favour of the petitioner, explicitly ruling that the school was not part of the partnership's business or property. The fifth respondent, aggrieved by this, has filed an original side appeal in OSA (CAD).No.78 of 2024, which remains pending. No interim order has been granted in those proceedings.

3. Thus, due to ongoing *inter-se* disputes, when the recognition of the said Maruti Vidyalaya expired in 2010, the school was not being run, despite the property being specifically allotted to the petitioner for establishing and running a school and despite the existence of a proper building for it. The petitioner therefore established a new trust under another registered trust deed dated 11.03.2010, naming herself, her mother-in-law, and others as trustees. Since 2010, the petitioner has been working to open a new school. The new school,



now called 'Rukmini Matriculation School,' plans to conduct classes from LKG to 10th standard, and has submitted an application for recognition under Rule 8 of the Tamil Nadu Private School (Regulation) Rules, 2023.

4. By an order dated 25.03.2025, the District Educational Officer, the fourth respondent herein, refused recognition, citing certain infrastructural deficiencies such as:

- Not all the classrooms are 400 sq ft.
- There must be two staircases of 1.6 m width.
- There must be two entrances for each of the classrooms.
- The corridor in front of the classroom should be 1.8 m wide.
- Lightning protection system is not installed.
- Certificate of ownership of the land issued by the Tahsildar is not annexed.

5. The petitioner submitted her explanation addressing each of the deficiencies pointed out, but it was not accepted. The impugned order stated that unless the petitioner fulfils the requirements and provides proof thereof, recognition cannot be granted. The petitioner filed an appeal to the second respondent under Rule 7 of the Tamil Nadu Private School (Regulation) Rules, 2023. After considering the grounds raised in the appeal, the second respondent rejected the petitioner's argument that, because a school named 'Maruti Educational School' was originally operating in the same premises, Rule 8(8) of the Tamil Nadu Private School (Regulation) Rules, 2023, cannot be applied, as



the present application is a new one for starting a different school, and the current rules must be followed by the petitioner.

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6. The deficiencies are, namely:

- The minimum area of the classroom should be 400 square feet
- There shall be one room for each class
- The minimum floor space should be at least 10 square feet per pupil and 40 square feet for a teacher in a classroom.

Therefore, the second respondent concluded that the application does not meet the conditions specified under Rule 8 of the Tamil Nadu Private Schools (Regulation) Rules 2023. Hence, the impugned G.O.(1D) No. 84 dated 16.07.2025 was issued. Challenging the Order, the present Writ Petition has been filed.

7. Pending the Writ Petition, the fifth respondent got herself impleaded.

The learned Senior Counsel representing the fifth respondent submitted that initially, when the arbitral award declared that the school property was part of the partnership assets, the learned single Judge reversed that finding. During the hearing of an appeal before the Hon'ble Division Bench of this Court, the petitioner herein requested a final hearing, and, in that context, no interim order was passed. The matter was also directed to be posted on a short date. Nonetheless, it would be inappropriate for the petitioner to secretly seek recognition to start a new school on her own. In any case, this application



should be treated as a new application rather than a continuation of the earlier school. Moreover, if any order is issued in the appeal, the operation of the school should proceed only in accordance with the order passed by the Honourable Division Bench. In reply, the learned Senior Counsel representing the petitioner herein submits that the application is for the establishment of a new school. There is no interim order in the Original Side Appeal filed by the fifth respondent.

8. Upon consideration of this issue, no interim order has been passed in favour of the fifth respondent regarding possession or ownership of the property. There is no obstacle preventing the petitioner from asserting ownership of the land and premises in question. It is also admitted that the allotment made by the housing board and the sale deed are in the petitioner's name. Any order issued by the school education authorities will be subject to the outcome of the civil litigation. If ownership is ultimately transferred away from the petitioner, or if any other direction is given, the agency operating the school shall be appropriately modified, or the parties with proprietary interests may decide on the school's management and operations, and requests can be made to respondents 2 to 4, which will be considered in accordance with the Rules. Therefore, the petitioner's attempt to start the school need not be delayed solely because of the pending appeal. However, it is clarified that the entire process will be subject to the final result of the civil proceedings.



9. Pending the hearing of the appeals, after hearing the learned Senior Counsel for the petitioner and the learned Special Government Pleader for respondents 1 to 4, this Court also opined that simply because there is a school operated in the same building and the premises are exclusively allotted for the school, the requirements of the current rules do not need to be satisfied immediately. The dimensions of the land and building, as well as the site layout, were presented to this Court. A review of these shows that it is a suitable school site with a proper school building comprising eight rooms on the ground floor and eight on the first floor, with a staircase in the middle providing access to the first floor. There is sufficient space on all four sides and at the front of the building, where a large area has been reserved for assembly and school ground purposes. Overall, the land area and other specifications meet the rules.

10. Considering the above, this Court directed the fourth respondent or the appropriate authority to conduct an inspection and inform the petitioner about the deficiencies. Regarding the requirement of two staircases, pending the hearing, the petitioner established one additional staircase of suitable width at one end of the building. The petitioner also made two entrances for each classroom. In this context, the authorities conducted another inspection, and the fourth respondent filed a report before this Court. The defects mentioned in paragraph No.7 of the report are as follows:



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“7. It is submitted that as per the direction of the Hon'ble Court order dated 03.02.2026, the District Educational Officer, Egmore, directly inspected Rukmuni Matriculation School at No.100A, Q Block, M.M.D.A Colony, Arumbakkam, Chennai-106, in the presence of the Writ Petitioner on -----

Inspection Report:

During the inspection, it was observed that the school building consists of a Ground Floor and a First Floor. Ground floor has 8 classrooms and 1st Floor has 4 classrooms and one hall converted into 2 classrooms (partition with Iron plates). Work was in progress to install second doorways for each class rooms and to construct a second staircase leading to the first floor.

Classroom Measurements:

S.No.	Ground Floor Classroom Details	First floor Classroom Details
1.	330 Sq.ft	396 Sq.ft
2.	336 Sq.ft	396 Sq.ft
3.	324 Sq.ft	396 Sq.ft
4.	332 Sq.ft	384 Sq.ft
Note		There is a long Hall partitioned with temporary iron sheets into 4 classrooms as below:
5.	306 Sq.ft	412 Sq.ft
6.	308 Sq.ft	412 Sq.ft
7.	308 Sq.ft	412 Sq.ft
8.	306 Sq.ft	412 Sq.ft

Deficiencies Noted:

1. Safety: As per the Tamil Nadu Private Schools (Regulation) Rules 2023, the pathway from the first floor to the open terrace is unsafe, with protruding iron rods. The open terrace (first floor) has accumulated sand with plants growing in it; the parapet walls are unplastered, and bricks are in a dilapidated condition and may collapse.

2. Classroom Size: As per the Rules, classrooms must be a minimum of 400 Sq.ft.

- In this school, all 8 classrooms on the Ground Floor are less than 400 Sq.ft.
- On the First Floor, 4 classrooms are less than 400 Sq.ft.

3. Temporary Structures: On the first floor, one section in designated as a "Hall" according to the approved plan.



However, this has been converted into classrooms using temporary iron partitions.

4. Verandah Width: As per the Rules, there must be a closed verandah with a minimum width of 1.8 meters in front of every classroom. In this school, it measures only 1.6 meters.

5. Building Plan & Approval Discrepancies:

- The CMDA approval (Permit No. C/8487/05/2016 dated 05.03.2016) states that if construction did not commence by 28.09.2016, the permit would expire, or if started, should be completed by 28.03.2018.
- The plan shows 8 classrooms on the Ground Floor and 4 on the First Floor, with the rest designated as a "Hall".
- However, the Structural Stability Certificate (Form-A) provided by the engineer claims the Ground Floor was built in 1993 and the First Floor in 2003. This contradicts the CMDA approval which was granted in 2016.

6. Sanitation: As per the Rules (and G.O. No. 270 dated 22.10.2012), there must be 1 urinal for every 20 students and 1 toilet for every 50 students. These must be well-ventilated, sufficiently lit, safe, and maintained hygienically with disinfectants. They should be located adjacent to classrooms and not in isolated areas or playgrounds. Structural stability/license certificates are mandatory for toilets as well.

7. Drinking Water: There should be one drinking water tap for every 20 students.”

11. From the above, it can be seen that regarding the classrooms, four classrooms on the first floor each have an area of 412 square feet, which exceeds the requirement of 400 square feet. Three classrooms are 396 square feet, and one is 384 square feet. This indicates a very minimal, negligible error in partitioning the rooms into classrooms. Overall, all eight classrooms on the first floor can be considered to have at least 400 square feet. Regarding the ground floor, all eight classrooms have areas ranging from 306 to 336 square



feet. It is the petitioner's responsibility to make the necessary alterations so that two additional rooms reach the required 400 square feet, ensuring there are 10 classrooms for standards 1 to 10.

12. It is further stated that the classrooms were only separated by iron collapsible partitions. I see no explicit rule prohibiting this arrangement. In school buildings, when the entire floor is used as an assembly hall, cultural hall, etc., during necessary times and also for classroom purposes, collapsible partition walls are commonly installed in many educational institutions. Upon inquiry by this Court, it is clear that the same is not explicitly prohibited. The mere presence of such partitions should not be considered a violation.

13. Regarding the veranda width, based on the approved plan, it is now confirmed that the minimum required width of 1.8 meters is available. Concerning the discrepancies between the building plan and approval, it is admitted that there was an original permit approval on 29.03.2016 when the building was constructed. For civil works such as installing an additional staircase or opening additional doorways, permission should have been obtained and produced. However, since these discrepancies are noted pending the Writ Petition and the petitioner was instructed to remedy these defects for the fourth respondent to inspect, the petitioner may submit a regularisation application to the authorities and obtain approval. In any case, this should not hinder further processing of the application.



As of now, with the original approval permit dated 29.03.2016 for the entire building, the recognition can be processed.

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14. Regarding sanitation, drinking water, safety issues, including unsafe protruding iron rods, and cleanliness of the open terrace, the learned Senior Counsel representing the petitioner submits that these will be repaired/provided and demonstrated to the fourth respondent's satisfaction.

15. In view of the above, this Writ Petition is disposed of on the following terms,

(i) The impugned G.O.(1D) No.84, School Education (MS) Department, dated 16.07.2025 and the order of the fourth respondent in Na.Ka.No.1131/A3/2024 dated 25.03.2025 shall stand set aside.

(ii) The application of the petitioner shall stand remanded back to the file of the fourth respondent.

(iii) The petitioner after making other compliances, shall intimate in writing to the fourth respondent and thereafter, the fourth respondent shall conduct a fresh inspection and upon being satisfied about the compliance of every aspect of the rules, by taking into account the findings given supra in respect of certain requirements, the orders in accordance with law shall be passed, with reference to



the recognition of the petitioner – school. The same shall be done as expeditiously as possible, in any event within four weeks from the date of intimation by the petitioner, in writing, about the compliance made.

(iv) It is made clear that any order passed by the fourth respondent or the school education authorities would be ultimately subject to the result of the civil litigation pending between the parties.

(v) There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

26.03.2026

Neutral Citation : yes
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To

1. The Additional Secretary,
Education Department,
Fort St. George, Chennai – 600 009.
2. The Principal Secretary to Government,
School Education Department,
Fort St. George, Chennai – 600 009.
3. The Director of Private Schools,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai – 600 006.
4. The District Educational Officer,
(Private Schools),
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