

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.Nos.10193 and 10194 of 2011

All India Law College Students Association,
Rep. by its National Joint Secretary,
E.Nixon. ... Petitioner in both WPs.

-vs-

- 1.The Secretary to Government,
Government of Tamilnadu,
Education Department,
Fort St. George, Chennai.
- 2.The Secretary to Government,
HR & CE Department,
Fort St. George, Chennai.
- 3.Central Board of Secondary Education,
Rep. by its Secretary,
Shiksha Kendra, 2, Community Centre,
Preet Vihar, Delhi.
- 4.The Commissioner,
HR & CE Department,
Nungambakkam High Road, Chennai.
- 5.Mrs.Y.G.P. Pre School & Nursery
Calibre Academy (Primary & Middle)
Rep. by its Correspondent. .. Respondents in both WPs.

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus (i)WP.10193/2011 - to direct the 1st and 3rd respondents to forthwith initiate action against the 5th respondent school by appropriately protecting the interest of the students studying in the institution, by preventing them from admitting students and conducting a School without having any affiliation/ recognition from any statutory body; and (ii) WP.10194/2011 - to forbear the 2nd respondent from in any manner allotting, encumbering or granting on long term lease the property comprised in S.No.3894, Raja Annamalaipuram, Chennai, admeasuring 22

grounds and 509 Sq.ft. Belonging to Arulmigu Kapaleeswarar Temple, Chennai, to the 5th respondent.

For Petitioner : Mr.MA.Gouthaman
For Respondents : Mr.S.T.S.Moorthy
Govt. Pleader for R-1
: Mr.Sathish Parasaran for R-5
: Mr.S.T.S.Moorthy,
Govt. Pleader, for Mr.S.Kandasamy,
Spl.G.P. For HR & CE for RR 2 & 4
: No appearance for R-3

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C O M M O N O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

These Public Interest Litigations seek two directions: a) a direction to the first and third respondents to initiate action against the fifth respondent and ensure that it does not admit students and conduct the school without having any affiliation / recognition from any statutory body; and b) forbearing the second respondent from allotting, encumbering and granting on long term lease the property comprised in S.No.3894, Raja Annamalaipuram, Chennai, admeasuring 22 grounds and 509 Sq.ft. belonging to Arulmigu Kapaleeswarar Temple, Chennai, to the 5th respondent.

2.Learned counsel for the fifth respondent submits that the said respondent is now affiliated to an international curriculum and thus, affiliation with C.B.S.E. or a State authority is not required. Qua the second prayer, it is stated that the same has become infructuous, as the school is located elsewhere.

3.Writ Petitions, thus, stand disposed of. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Secretary to Government,
Government of Tamilnadu,
Education Department,
Fort St. George, Chennai.

2.The Secretary to Government,
HR & CE Department,
Fort St. George, Chennai.

3.The Secretary,
Central Board of Secondary Education,
Shiksha Kendra, 2, Community Centre,
Preet Vihar, Delhi.

4.The Commissioner,
HR & CE Department,
Nungambakkam High Road, Chennai.

+1 cc to Government Pleader,SR.15438

+1 cc to M/s.Satish Parasaran, Advocate,SR.15674.

ppa(co)
krd 30/3

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of 2011



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