

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.10274 of 2015
and
M.P. Nos.1 and 2 of 2015

A.U.P.E.T. Chinmaya Vidyalaya Matriculation
Higher Secondary School
represented by its Secretary
Mr. S. Annamalai
18, High Ground Road
Palayamkottai
Tirunelveli 627 002

... Petitioner

vs.

1. The Government of Tamil Nadu
represented by the Secretary
Department of School Education
Fort St. George, Chennai 600 009
2. The Private Schools Fee Determination Committee
represented by its Special Officer
PTA Building, DPI Campus
College Road, Chennai 600 006

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records of the Committee, pertaining to the order of fee fixation dated 21.01.2015 on the file of the second respondent and quash the same, insofar as it relates to the petitioner school and consequently, direct the respondents to permit the petitioner school to follow the proposed fee structure during the personal hearing on 21.01.2015 for the academic years 2015-2016, 2016-2017 and 2017-2018.

For petitioner : Mrs. Hema Muralikrishnan
For respondents : Mr. P. Sanjay Gandhi
Additional Government Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

The petitioner-school has filed the instant writ petition challenging the order of fee fixation dated 21.01.2015 passed by the second respondent insofar as it relates to the petitioner-school and consequently, direct the respondents to permit the petitioner-school to follow the proposed fee structure during the personal hearing on 21.01.2015 for the academic years 2015-2016, 2016-2017 and 2017-2018.

2. The learned Additional Government Pleader appearing for the respondents submits that the second respondent-Committee may be given liberty to re-consider the entire issue again, in the light of the judgment passed by this Court in Lakshmi Matriculation School, etc., v. State of Tamil Nadu and others¹.

3. In that view of the matter, we are not inclined to make any observation on merits, at this stage. The matter is remanded back to the second respondent-Committee to reconsider the entire issue, afresh.

4. The writ petition is disposed of accordingly. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

cad

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¹ (2012) WLR 489

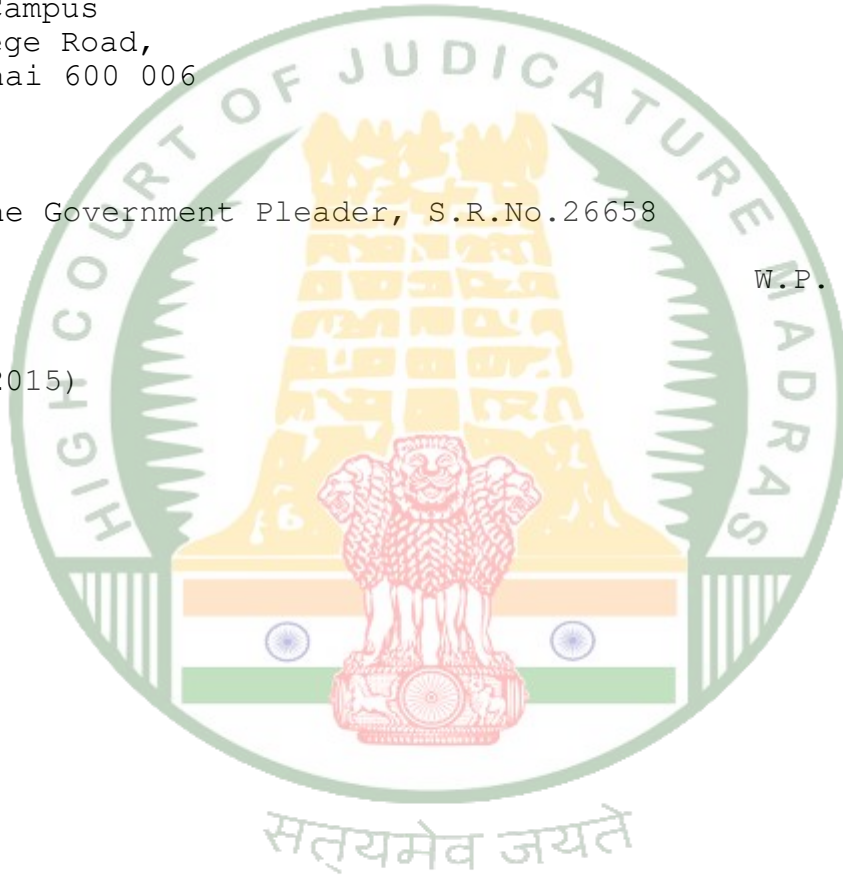
To

1. The Secretary
Department of School Education
Government of Tamil Nadu
Fort St. George
Chennai 600 009
2. The Special Officer
Private Schools Fee Determination Committee
PTA Building
DPI Campus
College Road,
Chennai 600 006

+1cc to the Government Pleader, S.R.No.26658

W.P. No.10274 of 2015

SR(CO)
CA(11/06/2015)



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