

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28/08/2015

C O R A M

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P. No.14108 of 2015

and

M.P.Nos.1 & 2 of 2015

Vidyapeetam Senior Secondary School
run by the Sholinghur Development Trust,
Krishnavaram, Sholinghur 631 102,
rep. By its Correspondent
Mrs.Viswabharathy

... Petitioner

Vs

1. The State of Tamil Nadu,
The Secretary to Government,
Education Department,
Fort St. George,
Chennai.
2. Private Schools Fee Determination Committee,
PTA Building, D.P.IK. Campus, Chennai.6,
rep. By The Special Officer.
3. Chief Education Officer, Vellore,
Vellore District, Vellore.
4. Assistant Education Officer,
Sholinghur, Vellore District,
Vellore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records of the 2nd Respondent relating to the Impugned Order dated 30.10.2013 passed by the 2nd Respondent modifying its earlier order dated 16.05.2013 and quash the same and consequentially direct the 2nd Respondent to determine the fee chargeable by the Petitioner School commensurate with the facilities provided by the Petitioner School.

For petitioner Mr. T.K. Bhaskar

For respondents Mr. P.S.Sivashanmugasundaram
Spl. Govt. Pleader - R1, R3 & R4
Mr. P. Sanjay Gandhi - R2

O R D E R

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

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2 This writ petition is filed assailing the order dated 30.10.2013 passed by the 2nd respondent modifying its earlier order dated 16.05.2013 and consequentially, direct the 2nd respondent to determine the fee chargeable by the Petitioner School commensurate with the facilities provided by the Petitioner School.

3 Learned counsel appearing for the petitioner-school submits that if the second respondent/Fee Determination Committee is prepared to consider the issue of grant of Dearness Allowance to the employees for the next academic year, the petitioner does not press this writ petition.

4 The learned counsel appearing for the second respondent-Committee submits that the second respondent has decided to consider the issue of incurring expenses in granting dearness allowance to the employees for the next academic year on the basis of the documents and other relevant materials produced by the petitioner school.

5 In view of the above said submission, without going into the merits of the case, we direct the second respondent/Fee Determination Committee to consider the issue of grant of Dearness allowance to the employees and pass appropriate orders, on merits and in accordance with law, well before the commencement of the next academic year.

6 This writ petition is disposed of accordingly. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

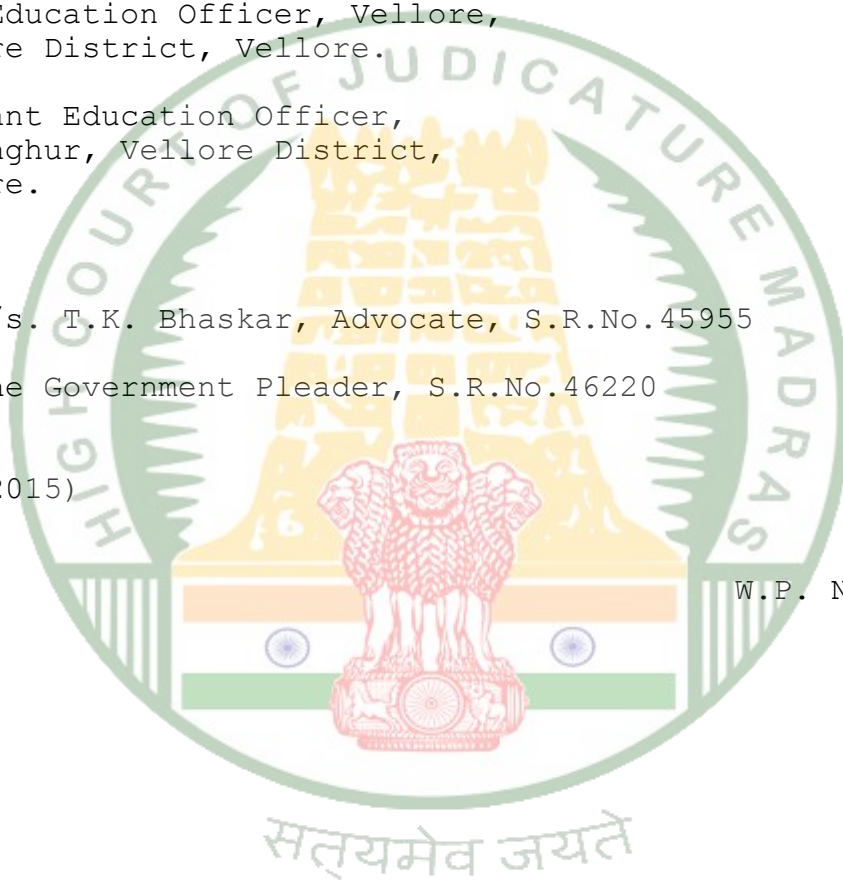
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+1cc to M/s. T.K. Bhaskar, Advocate, S.R.No.45955

+1cc to the Government Pleader, S.R.No.46220

PPA(CO)
EU(14/09/2015)

W.P. No. 14108 of 2015



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