

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2015

CORAM:

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

W.P. No. 15228 of 2015

M.CT.M.Chidambaram Chettyar
Matriculation Higher Secondary School Rep.
by its Honorary Secretary 179 Luz Church
Road Mylapore Chennai-600 004 Petitioner

vs.

- 1 The State of Tamilnadu
Rep.by its Secretary (Education) Fort St.
George Secretariat Chennai
- 2 The Special Officer
The Private School Fee Determination
Committee D.P.I. Campus College Road
Chennai-600 006 Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the records relating to the modified order dated 12.3.2015 of the 2nd respondent herein and the earlier order dated 9.9.2014 issued by the second respondent and quash the same.

For petitioner : Mr. M. Arunkumar
For respondents : Mr.P. Sanjay Gandhi
Addl. Govt. Pleader

ORDER

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

The petitioner has come up with this writ petition seeking to quash the notified order dated 12.3.2015 and the earlier order dated 09.09.2014 on the ground that the authorities have not heeded to the guidelines laid down by this Court in Lakshmi Matriculation School, etc. v. State of Tamil Nadu and others¹.

1 (2012) WLR 489

2 Mr. P. Sajay Gandhi, learned Additional Government Pleader appearing for the respondents would submit that if there is any default on the part of the authorities while considering the case of the petitioner in determining the school fee, the same will be examined strictly in accordance with the guidelines laid down by this Court in Lakshmi Matriculation School case (supra).

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

4 We make it clear that if a fresh representation is given by the petitioner, the authorities shall re-consider the matter in the light of the aforestated guidelines, after affording necessary opportunity to the petitioner-school to place its case properly before them. Such exercise shall be completed within a period of four weeks.

5 The writ petition is disposed of accordingly. No costs. Connected Miscellaneous Petition is closed.

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s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1 The Secretary (Education)
State of Tamilnadu
Fort St. George , Secretariat , Chennai

2 The Special Officer
The Private School Fee Determination
Committee D.P.I. Campus
College Road
Chennai-600 006

+ 1 cc to M/s.R.Kannan, Advocate SR 26703

+ 1 cc to Govt.Pleader, High Court, Madras SR 26659

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