

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13/7/2015

C O R A M

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P. No.20663 of 2015

and

M.P. No.1 of 2015

Asan Memorial Senior Secondary School
rep. By its General Secretary
Mrs.Shyamala Jayaprakash
Cochin House
1 Anderson Road
Chennai 600 008.

.... Petitioner

Vs

1. The Special Officer
Private Schools Fee Determination Committee
PTA Building
DPI Campus
Chennai 600 006.

2. The State of Tamil Nadu
rep. By its Secretary
School Education
Fort St. George
Chennai.

3. Parents Students Welfare Association
rep. By its General Secretary
Asan Memorial Senior Sec. School
No.9 Samy Street
Egmore
Chennai 600 008.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records of the first respondent Committee in proceedings Nil dated 29/6/2015 and quash the same and further direct the first respondent to pass appropriate orders in the light of the order dated 15/1/2015 of the Supreme Court in SLP (C) No.16/2013 by taking into consideration the various facilities provided by the petitioner School and consequently permit the petitioner school to follow its fee structure for the academic year 2015 - 2016.

For petitioner

... Mr.R.Muthukumarasamy
Senior Counsel
for M/s.OJAS Law Firm.

For respondents

... Mr. P.Sanjay Gandhi
Additional Government Pleader
for R.R.1 and 2.

O R D E R

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

Mr. P.Sanjay Gandhi, learned Additional Government Pleader, takes notice for the first and second respondents. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal at the admission stage itself.

2. Mr.R.Muthukumarasamy, learned Senior Counsel appearing for the petitioner submits that after filing of this writ petition, the petitioner School has received a Notice dated 2/7/2015 from the Special Officer, Private School Fee Determination Committee, calling upon the petitioner School, to present either in person or other competent officer with letter of authorisation and produce all the related and relevant documents, materials and evidence in proof of the objection, for enquiry on 23/7/2015 and as such no further adjudication is required at this stage.

3. Without going into the time schedule given by the Supreme Court in SLP (C) No.16 of 2013 {Association of Management of Private Schools (CBSE) and State of Tamil Nadu & Others}, whereunder the Supreme Court has granted one month time to make fresh representation, since notice has been issued on the objection made by the petitioner School, we are not inclined to examine the matter on merit at this stage. Liberty is granted to the petitioner School for placing all the materials before the authorities as required.

4. The writ petition stands disposed of accordingly. No costs. Connected M.P.No.1 of 2015 is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

mvs.

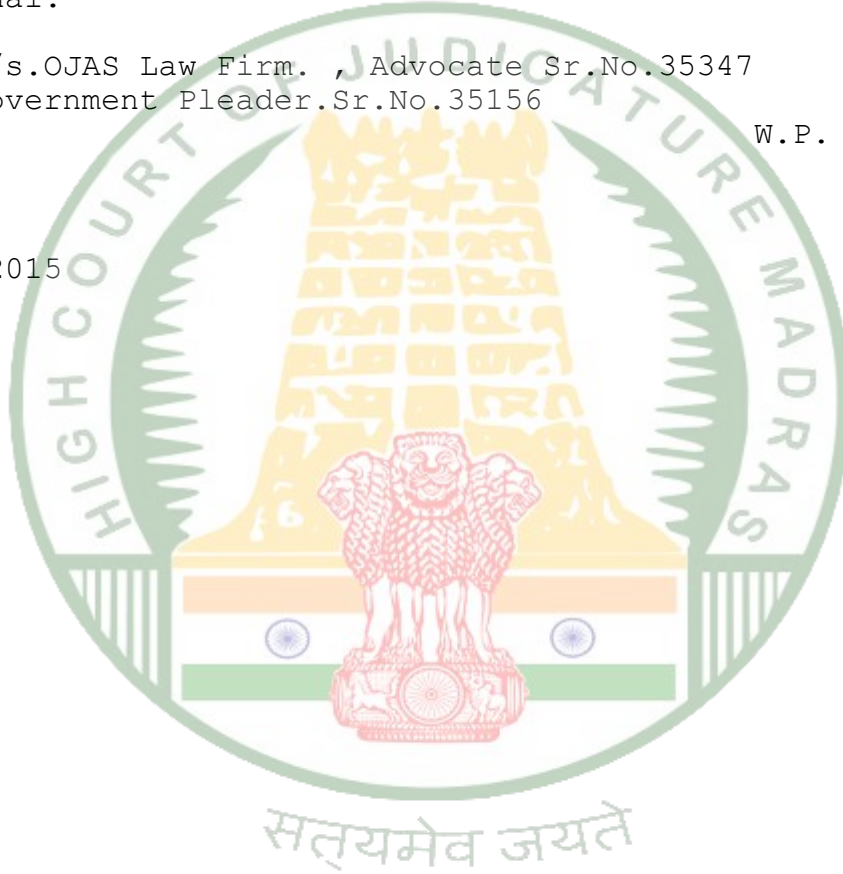
To

1. The Special Officer
Private Schools Fee Determination Committee
PTA Building
DPI Campus
Chennai 600 006.
2. The Secretary
State of Tamil Nadu
School Education
Fort St. George
Chennai.

1 cc to M/s.OJAS Law Firm. , Advocate Sr.No.35347
1 cc to Government Pleader.Sr.No.35156

W.P. No.20663 of 2015

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