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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2015

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.18537 of 2014

and

M.P. (MD) No.1 of 2014

Pappathiyammal Pitchai Educational Trust,
Rep.by its Chairman and Managing Trustee,
R.Chandramohan

... Petitioner

Vs.

The Central Board of Secondary Education (CBSE),
Rep.by its Assistant Secretary (AFFL),
"Shiksha Kendra",
2, Community Centre,
Preet Vihar,
Delhi 110 002.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in No.CBSE/Aff./SL-02113 - 1516/2014/772490, dated 29.10.2014 on the file of the respondent and quash the same as illegal and consequently for a direction directing the respondent to reconsider the petitioner's application dated 23.06.2014 and to conduct inspection at the petitioner's school and issue affiliation for the year 2015 - 2016 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.S.Kadarkarai

ORDER

This Writ petition has been filed to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in No.CBSE/Aff./SL-02113 - 1516/2014/772490, dated 29.10.2014 passed by the respondent and quash the same as illegal and consequently, directing the respondent to reconsider the petitioner's application dated 23.06.2014 and to conduct inspection at the petitioner's school and issue affiliation for the year 2015 - 2016 within the time period stipulated by this Court.

2.The facts of the case are as follows:

The petitioner's school in the name of Sita Rajaram Nursery and Primary School has sufficient land and infrastructure facilities for the proposed secondary level i.e., upto X standard. The petitioner applied for the provisional affiliation up to Secondary level for the academic year 2015 - 2016 through online with all the required essential conditions prescribed by the respondent. However, the application dated 23.06.2014 for granting provisional affiliation has been rejected by the impugned order dated 29.10.2014 by pointing out some deficiencies. After rectifying all the deficiencies, the



petitioner sent a representation dated 31.10.2014 to reconsider the application. Since the respondent has not passed any order so far, the petitioner has come forward with the present Writ petition.

3. Heard both sides.

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4. Considering the fact that a detailed ratification report submitted by the petitioner school dated 31.10.2014, which is pending before the respondent Board, this Court is of the view that a direction could be given to the respondent to pass orders on the said representation within a time frame.

5. Hence, the Writ petition is disposed of directing the respondent to consider and pass appropriate orders on the representation dated 31.10.2014 submitted by the petitioner School within a period of four weeks from the date of receipt of a copy of this order.

No costs. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

The Assistant Secretary (AFFL),
The Central Board of Secondary Education (CBSE),
"Shiksha Kendra",
2, Community Centre,
Preet Vihar,
Delhi 110 002.

+1cc to Mr. T. Lajapathi Roy, Advocate Sr.No.30210

+1cc to Mr. S. Kadarkarai, Advocate Sr.No.30336

nbj

akm/26.06.15 /2p-4c/

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