

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.17434 of 2016

Aruna Convent Matriculation School,
No.5, Panju Pettai Big Street,
Kancheepuram-631 502.
Rep by its Correspondent,
Tmt.Leelavathi,
W/o.T.Bagavathi

... Petitioner

Vs.

1.The Director,
Directorate of Matriculation Schools,
DPI Campus, College Road,
Chennai- 600 006.

2.The Inspector of Matriculation Schools,
Kancheepuram,
Kancheepuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to pass appropriate orders granting recognition/permission to open Matriculation School based on the application submitted by the petitioner school in Form-D dated 31.12.2014 and subsequent application dated 21.03.2016 based on the plan approval granted by Kancheepuram Municipality without insisting for plan approval from DTCP in the light of the orders passed in W.P.(MD).No.13152 of 2015 dated 28.07.2015 confirmed in the orders passed in W.A(MD).No.1139 of 2015 dated 02.12.2015 within a time frame.

For Petitioner : Mr.G.Sankaran

For Respondents : Mrs.P.Rajalakshmi,
Govt. Advocate (Education)

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner would state that it has been established by Thanumalayan Educational Trust with laudable object of imparting quality education for poor and downtrodden and it was originally established as Nursery and Primary School with standards LKG to V in the year 2010 and it was duly recognized as per the proceedings of the Chief Educational Officer, Kancheepuram dated 10.04.2011. The petitioner would further state that it submitted an application for permission to open Matriculation School initially for standards I to VI from the academic year 2015-16 and enclosed all necessary certificates, however the respondents insisted that it should obtain plan approval from the Directorate of Town and Country Planning in respect of superstructure put up and aggrieved by the same, he filed W.P.No.29114 of 2015 and subsequently it was dismissed as withdrawn. Thereafter the petitioner submitted a representation dated 21.03.2016 stating among other things that the writ petition has been withdrawn and requested them to grant recognition and since no orders has been passed came forward to file this writ petition.

3. Mr.G.Sankaran, learned counsel appearing for the petitioner would submit that the matter in issue is squarely covered by the order dated 28.07.2015 made in W.P.(MD).No.13152 of 2015 and the judgment dated 02.12.2015 made in W.A.(MD).No.1139 of 2015 and prays for permission to submit one more representation by enclosing the copies of the said orders with a further request to the first respondent to pass appropriate orders.

4. Heard Mrs.P.Rajalakshmi, learned Government Advocate, who accepts notice on behalf of the respondents.

5. This Court, in the light of the above facts and circumstances, directs the petitioner to submit one more representation by enclosing a copy of this order as well as the above cited orders to the first respondent within a period of two weeks from the date of receipt of a copy of this order and the first respondent, on receipt of the same, is directed to consider and dispose of the same in accordance with law and pass orders within a period of six weeks thereafter and communicate the decision taken, to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

jvm

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1.The Director,
Directorate of Matriculation Schools,
DPI Campus, College Road,
Chennai- 600 006.

2.The Inspector of Matriculation Schools,
Kancheepuram,
Kancheepuram District.

+ 1 cc to Mr.G.Sankaran, Advocate SR 29322

+ 1 cc to Govt.Pleader SR 29250

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