

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P. No.9810 of 2013
and MP.No.1 of 2013

Mr.J.T.Marcus
Chairman & Secretary
Ebenezer Marcus International School &
Junior College (CBSE Pattern)
No.2, Daniel Street, West Banu Nagar,
Pudur, Ambattur, Chennai-53.

.. Petitioner

Vs

1.The Director of School Education,
DPI Complex,
College Road, Chennai.

2.The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
Thalamuthu Natarajar Maligai,
No1, Gandhi Irwin Road,
Egmore, Chennai-8.

3.The Tahsildar
Ambattur Taluk,
Ambattur, Chennai-53.

4.The Secretary
Central Board of Secondary Education Shikshar Kendra,
2, Community Centre, Preet Vikar, Vikas Marg, Delhi-110092.

5.Annai Violet International School,
Redhills Road,
Pudur, Ambattur, Chennai-53.

6.The Secretary,
Revenue Department,
Government of Tamil Nadu
(R6 Suo-moto impleaded as per order dated 27.06.2013)

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus to direct the respondents 1 to 3 to consider the representation dated 15.03.2013 and pass appropriate order in accordance to law within a stipulated time limit.

For Petitioner : M/s.Malarvizhu Udhayakumar,
For Respondents: Mr.R.Govindasamy
Spl.GP for RR1, 3 and 6.
Mr.A.Kumar for R2.
Mr.R.Mohan for R5.
Mr.G.Nagarajan for R4.

ORDER

Heard both sides.

2.The petitioner seeks for a direction to the respondents 1 to 3 to consider his representation dated 15.03.2013. According to the petitioner, the land which is the subject matter of this writ petition was given by way of assignment dated 28.06.1973 to an organization by name Anna Anathai Illam. The 5th respondent is the Correspondent and President of the said organization.

3.According to the petitioner, the land was given free of cost by the Government specifically for running orphanage for poor widows and destitute women. However, the petitioner claims that the 5th respondent has resolved to start a CBSE school in the name of Annai Violet International School. The grievance of the petitioner is that no proper approval or permission had been obtained from the concerned educational authorities. In this regard, the petitioner has also given representation dated 15.03.2013 to the first respondent herein. The proof for sending the representation is also enclosed in the typed set of papers filed by the petitioner.

4.Considering the limited scope of prayer sought for by the petitioner in this writ petition and without going into the merits of the same, directs the first respondent to consider the representation of the petitioner dated 15.03.2013 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1.The Director of School Education,
DPI Complex,
College Road, Chennai.

2.The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
Thalamuthu Natarajar Maligai,
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3.The Tahsildar
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5.Annai Violet International School,
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Pudur, Ambattur, Chennai-53.

6.The Secretary,
Revenue Department,
Government of Tamil Nadu

+1 cc to M/s.Malarvizhi Udhayakumar,advocate,sr.61867

+1 cc to Mr.R.Mohan,advocate,sr.61860

+1 cc to Government Pleader,sr.62126.

ctk(co)
krd 22/11

सत्यमेव जयते

W.P.No.9810 of 2013.

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