

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.41073 of 2015

CHANGEindia

Rep. By its Director,
A.Narayanan.

.. Petitioner

-vs-

1.Govt. Of Tamil Nadu,
Rep. By The Chief Secretary,
Secretariat, Chennai.

2.The Principal Secretary,
Dept. of School Education,
Secretariat, Chennai.

3.The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai.

4.Director of School Education,
DPI Campus, College Road,
Chennai.

5.Director of Elementary Education,
DPI Campus, College Road,
Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the 2nd respondent impugned orders in G.O. (Ms.) No.134 dt. 18.08.2015, G.O. (Ms.) No.135 dated 18.08.2015 and quash the same consequently forbearing the respondents from granting recognition against law to unrecognized schools not fulfilling the norms specified in G.O. (2D) No.48, dt. 21.07.2004, G.O. (Ms.) No.122 dt. 14.09.2004, G.O. (Ms.) No.123 dt. 14.09.2005, G.O. (Ms.) No.131 dated 10.08.2006 and the judgment of the Hon'ble Supreme Court of Indian reported in 2009 (6) SCC 398 and ensure that all the

unrecognized schools are closed by the end of the academic year 2015-16 and to ensure that the students of such schools are placed in other neighbourhood Government / Government aided / unaided schools so as to enable the students to continue their education in recognized schools.

For Petitioner : Mr.J.Saravana Vel
For Respondents : Mr.Karthikeyan, Govt. Advocate.

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The grievance of the petitioner is that unrecognized schools are continuing by adhoc extensions and the last such being granted under the G.Os. in question upto the end of the academic year 2015-2016.

2.The counter-affidavit filed by the respondents states that an expert committee was constituted under the G.O. (1D.) No.54, School Education Department, dated 05.03.2013 under the Chairmanship of Director of School Education, for fixing the minimum land requirements of private schools. On this aspect, opinion of the Heads of the Department on the recommendations of the Committee has been sought, which is yet to be received and it is affirmed that on receipt of the same, it will be suitably acted upon by the Government.

3.In para 19, it has been categorically averred that after 746 matriculation schools who were granted temporary conditional recognition till 31.05.2016 as an one time measure pending final decision to be taken by the Government on the report submitted by the Expert Committee, there is no chance of further extension as it is only an one time measure. On our query, this position is once again affirmed by the learned counsel for the respondents, on instructions from Mr.K.Venkatesan, Superintendent, Directorate of Matriculation Schools, present in Court.

4.We take the aforesaid on record.

5.Writ petition is closed in the aforesaid terms. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Chief Secretary,
Govt. Of Tamil Nadu, Secretariat, Chennai.
- 2.The Principal Secretary,
Dept. of School Education, Secretariat, Chennai.
- 3.The Director of Matriculation Schools,
DPI Campus, College Road, Chennai.
- 4.Director of School Education,
DPI Campus, College Road, Chennai.
- 5.Director of Elementary Education,
DPI Campus, College Road, Chennai.

+1cc to Mr.J. Saravanavel, Advocate, S.R.No.14433
+1cc to the Government Pleader, S.R.No.14944

SVI (CO)
EU(23/03/2016)

W.P.No.41073 of 2015



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