

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.22661 of 2012

and M.P.Nos.1 to 3 of 2012

E.Karthik Raja .. Petitioner

-vs-

- 1.The State of Tamil Nadu,
Rep. By its Principal Secretary,
School Education Department,
Fort St. George, Chennai 600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.
- 3.The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai 600 006.
- 4.The Regional Director,
Central Board of Secondary Education,
No.3/1630 (A), J-Block,
6th Main Road, Anna Nagar West,
Chennai-40.
- 5.The Dean and Director,
Padma Seshadhri Bala Bhavan Sr. Sec.
School, K.K.Nagar, Chennai.
- 6.The Inspector of Police (L&O),
R-7, K.K.Nagar Police Station,
Chennai.
- 7.R.N.R.Manohar
(R-7 impleaded as per order dated
28.9.12 in MP.4/2012)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to ensure the safety of the students in the schools by issuing the following directions: (i) appoint an expert committee - a. to study and report regarding safety levels that are maintained in the schools at present; b. recommend guidelines for framing common safety levels in school premises for the facilities rendered; c. recommend guidelines for maintaining the swimming pools; d. recommend guidelines for swimming training in schools. (ii) to appoint a School Committee in each school to monitor and manage the safety of the school children (iii) appoint an Monitoring Committee to monitor the functions of the School Committee.

For Petitioner : Mr.Stalin Abhimanyu
For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P.,
for RR 1 to 3
: Mr.Satish Parasaran, Sr.Counsel
for Mr.G.Nagaraj, for R-4

* * * * *

O R D E R

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

The petition is filed by an advocate arising from an unfortunate incident of death of a child in a swimming pool. What is alleged to have aggravated the issue is that allegedly there was no requisite permission for the swimming pool at the relevant stage of time. This resulted in the order of this Court directing closure of the swimming pool.

2.On our query, learned Government Pleader states that the investigation is over and the final report will be filed within fifteen (15) days. We take the said statement on record.

3.Learned counsel appearing for the fifth respondent / the school states that now all requisite permissions have been obtained for the swimming pool to function. We clarify that the swimming pool will be permitted to function only if all requisite permissions including the building permission have been obtained, not otherwise.

4.We are of the view that no further directions can be passed, as this is not a petition by the aggrieved persons.

5.Writ petition stands disposed of. No costs. Consequently,
M.P.Nos.1 to 3 of 2012 stand closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

- 1.The Principal Secretary,
State of Tamil Nadu,
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Fort St. George, Chennai 600 009.
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Chennai.

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