

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.33285 of 2013 and M.P. No.1 of 2013

G.K. Shetty Vivekananda Vidyalaya Junior College (30386)
CTH Road
Ambattur
Chennai 600 053
represented by its Correspondent ...Petitioner

vs.

Private Schools Fee Determination Committee
The Committee constituted under
Section 5 of the Tamil Nadu Schools
(Regulation of Collection of Fees) Act, 2009
PTA Building, DPI Campus, College Road
Chennai 600 006.Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the records of the respondent and quash the order dated 17.07.2013 in respect of the petitioner school.

For petitioner Ms. Karthika Prakash
for Mr. M.V. Swaroop

For respondent Mr. P. Sanjay Gandhi
Additional Government Pleader

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. P. Sanjay Gandhi, learned Additional Government Pleader, accepts notice for the respondent committee. With consent, the writ petition is taken up for final disposal.

2 This writ petition is filed challenging the order dated 17 July 2013 passed by the respondent committee.

3 Today, when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondent committee fairly submits that the impugned order passed by the respondent committee needs re-examination in the light of the observations made by the Supreme Court in a Special Leave Petition being S.L.P. (C) No.16 of 2013¹ vide order dated 28 January 2016. Thus, the order of the respondent committee sought to be impugned may be set aside, reserving liberty to the respondent committee to consider the case in exercise of power under Section 7(3) of the Tamil Nadu Schools (Regulation of Collection of Fee) Act, 2009.

4 In view of the above submission made by the learned Additional Government Pleader, it is ordered accordingly. It is made clear that the said exercise shall be completed by the respondent committee on or before 15 May 2016.

The writ petition stands disposed of with the above observations. Costs made easy. Connected M.P. is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

Private Schools Fee Determination Committee
PTA Building, DPI Campus, College Road
Chennai 600 006.

+1cc to Mr.M.V.Swaroop, Advocate, S.R.No.18247

W.P. No.33285 of 2013

ad(CO)
srg(01/04/2016)

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1 Association of Management of Private Schools (CBSE) and another vs. State of T.N. & Others