

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.32839 of 2016

Deivanai Kumar

... Petitioner

Versus

1. The Secretary to Govt.,
Education Department,
Secretariat,
Chennai - 600 009.
2. The Director of Elementary Education,
Directorate of Elementary Education,
D.P.I. Complex,
College Road,
Chennai - 600 006.
3. The Chief Educational Officer,
Vellore District,
Vellore.
4. The Additional Chief Educational Officer,
Sarva Shiksha Abhiyan (SSA)
Vellore District,
Vellore.
5. The District Elementary Educational Officer,
Vellore District,
Vellore - 632 004.
6. The Assistant Elementary Educational Officer,
Kaveripakkam,
Vellore District.
7. The Headmaster,
Panchayat Union Elementary School,
Rangapuram,
Banavaram Post,
Vellore - 632 505

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India praying to issue a writ or an order or direction in the nature of writ, particularly a Writ of Mandamus directing the 2nd respondent to consider the proposal sent on 26.08.2016 by the 7th respondent for upgradation of the Panchayat Union Elementary School situated at Arangapuram, Kaveripakkam, Vellore District as Middle School.

For Petitioner : Mr. Nagarathinam

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

Heard Mr.Nagarathinam, learned counsel appearing for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader accepting notice on behalf of the respondents. With the consent of the learned counsel for both sides, the writ petition is taken up for final disposal.

2. The petitioner is the President of the Parents Teachers Association and has come forward with request to the Government to consider the proposal sent by the 7th respondent, namely, the Headmaster, Panchayat Union Elementary School, Rangapuram, Banavaram Post, Vellore, for upgrading the said school as a middle school.

3. The proceeding of the 6th respondent dated 26.08.2016 shows that the proposal has been reiterated and forwarded to the fifth respondent, the District Elementary Educational Officer. Since the petitioner did not know about the fate of the recommendations, information was sought under the Right to Information Act and a reply has been received from the 5th respondent, stating that the proposal has been forwarded and now pending with the Government.

4. The learned Special Government Pleader submitted that if the proposal is in order with all statutory compliances, then the second respondent may be directed to consider the same, within a time frame.

5. Since the writ petition is disposed of at the admission stage itself, it cannot be readily be verified as to whether the proposal is in order. In any event, the reply given under the Right to Information Act states that the matter is before the first respondent for consideration.

6. In the light of the above, there will be a direction to the first respondent, to consider the proposal as forwarded, to consider the case of upgrading the Panchayat Union Elementary School, Rangapuram, that of the Middle School by passing appropriate orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

srk/rts

To

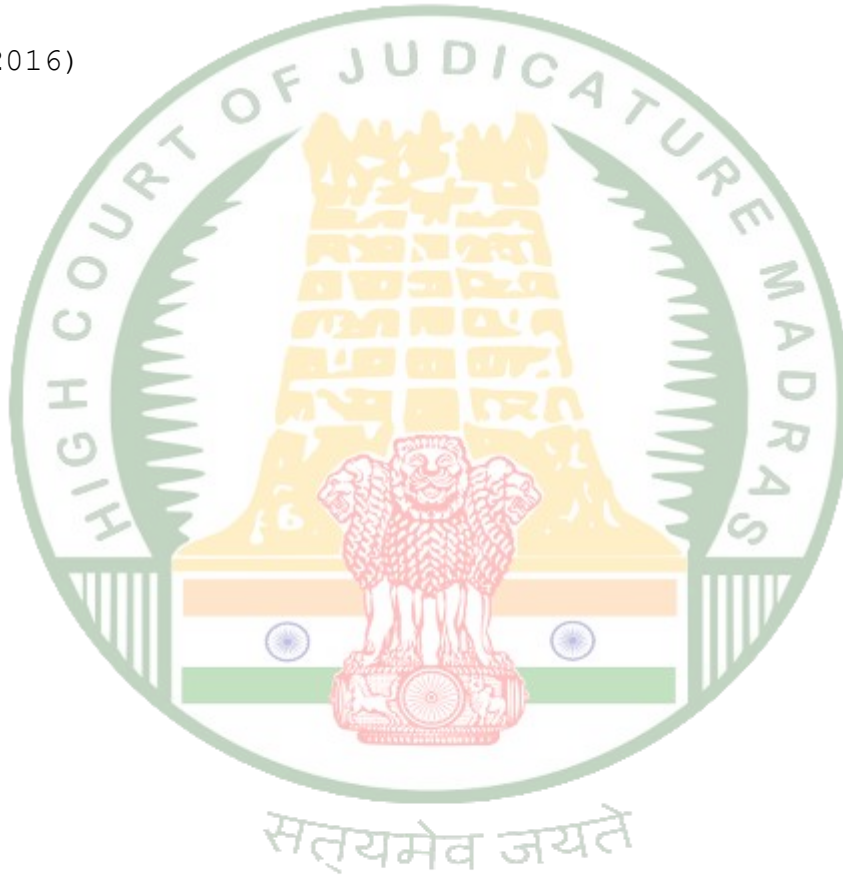
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+1cc to Mr.A.Nagarathinam, Advocate, S.R.No.53340

W.P.No.32839 of 2016

NM(CO)
CA(28/09/2016)



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