

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM:

THE HON 'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition Nos.33098 & 33099 of 2016

St.Marys Nursery & Primary School
Rep. by its Correspondent,
A.Mohamed Haris,
Nanjegoundenpudur, Pollachi
Coimbatore 642 105 ... Petitioner in both W.Ps.

Versus

1. The Director of Elementary Education,
College Road Chennai-6
2. The Chief Education Officer, Coimbatore
3. The District Elementary Officer, Coimbatore
4. The Assistant Elementary Education Officer
(South) Pollachi,
Coimbatore ... Respondents in both W.Ps.

Prayer:- Petitions filed under Article 226 of the Constitution of India, seeking for the issuance of Writs of Mandamus, directing the respondents to consider the representation of the petitioners, dated 07.06.2016 and 06.05.2016 and consequently direct the respondents to renew the petitioner school for the year 2012 to 2016.

For Petitioner : Mr. M.K.S.Sundar

For Respondents : Mr. O.R.Maheswaran,
Govt. Advocate (Education)

C O M M O N O R D E R

Heard Mr.M.K.S.Sundar, learned counsel for the petitioner and Mr.O.R.Maheswaran, learned Government Advocate (Education) for the respondents, in both the writ petitions. By consent of the learned counsel for both sides, the writ petitions are taken up for final disposal at the admission stage itself.

2. The petitioner is a nursery and primary school, represented by his Correspondent, seeks a direction upon the fourth respondent to consider their representation for grant of recognition of the petitioner / Institution.

3. It is the admitted case of the petitioner that the earlier recognition was not renewed on account of the fact that the school was functioning in a temporary structure with asbestos roof, apart from not having other facilities such as play-ground etc., It appears that the petitioner sought for change of location of the school and orders were passed by the authorities on their request and now, according to the petitioner, the school has complied with all the conditions. However, this aspect cannot be verified by this Court and this should be done by the fourth respondent.

4. In the light of the above, the fourth respondent is directed to cause an inspection on the petitioner's institution, verify as to whether all parameters were fulfilled and upon verification, the fourth respondent shall pass appropriate 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.

5. These writ petitions are disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Director of Elementary Education,
College Road,
Chennai-6.
2. The Chief Education Officer,
Coimbatore.

3. The District Elementary Officer,
Coimbatore.

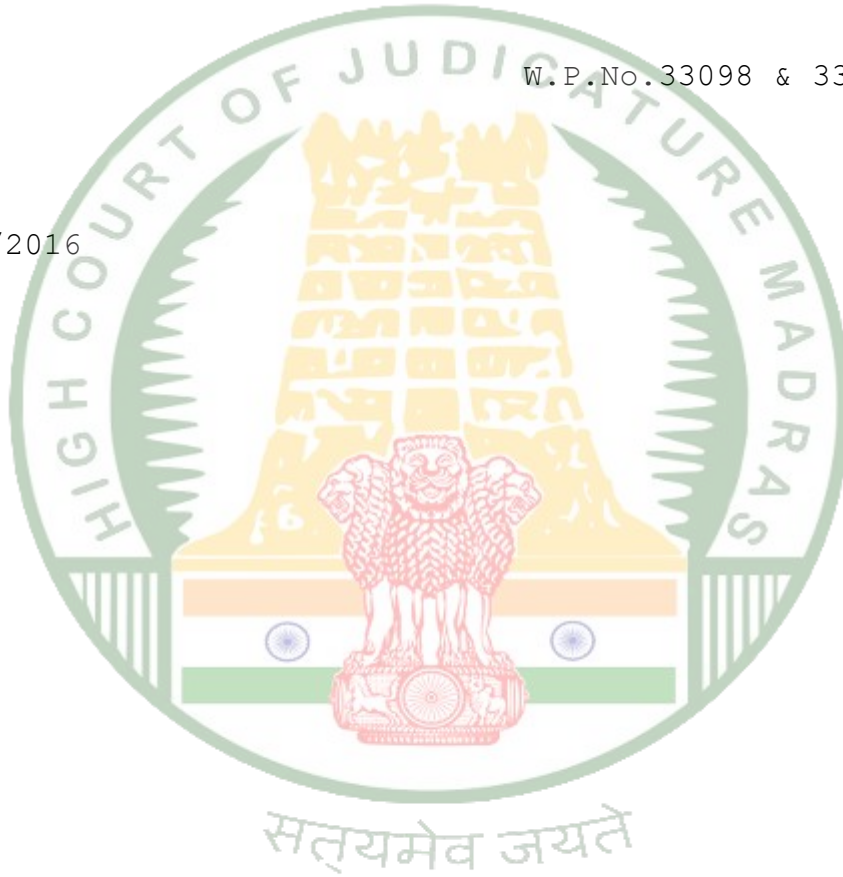
4. The Assistant Elementary Education Officer
(South) Pollachi, Coimbatore.

+4cc to M.K.S.Sundar, Advocate sr.53704, 53703

+1cc to the Government Pleader Sr.12792 [05/10/2016]

W.P.No.33098 & 33099 of 2016

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srg 26/09/2016



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