

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-06-2017

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.10207 of 2017
and
W.M.P.Nos.11161 and 11162/2017

The Ramakrishna Vidyalaya Matriculation School,
Rep.by its Correspondent,
J.Jayachandra Mala,
Cheyyur, Pavunjur Road,
Cheyyur - 603 302,
Kancheepuram District

.... Petitioner

-Vs-

1. The Director of Matriculation Schools,
D.P.I. Campus, College Road,
Chennai - 600 006.

2. The Inspector of Matriculation Schools,
Kancheepuram,
Kancheepuram District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to grant the Permission/Recognition for conducting the classes from 1st to 10th standard to the petitioners school.

For Petitioner : Mr.M.Arumugam

For Respondents : Mr.V.Aanandhamurthy
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the first respondent to grant permission/recognition for conducting the classes from 1st to 10th Standards to the petitioners school.

2. The case of the petitioner is that initially permission was granted to the petitioner school for running the classes upto seventh standard, in the year 1996. The petitioner wanted to conduct the classes from 1 to 10th standard with the permission of the first respondent, for which the petitioner-school submitted an application for approval upto tenth standard on 12.01.2011 and it was returned on 09.02.2011, by the second respondent pointing out two defects namely (1) The Lease Deed was not registered (2) The building plan approval was not furnished. The said defects were rectified and the application was re-submitted on 23.02.2011 itself. Despite, the fact that the petitioner school has complied with the defects, the respondents have not granted permission for the petitioner for running the school upto 10th standard. Aggrieved against the inaction on the part of the respondents, the petitioner has filed a writ petition in W.P.No.12929 of 2013, which was disposed of by this Court on 20.06.2013, with a direction to the first respondent to consider and dispose of the application submitted by the petitioner. However, the first respondent instead of granting permission has pointed out few more defects after inspecting the school. The defects thus pointed out by the respondents were said to be complied with by the petitioner. It is further stated that inspite of complying with the nine defects, the respondents have not obeyed the orders of this Court and a contempt petition was filed. Even thereafter, the respondent had not passed any orders. Hence, the present Writ Petition is filed for a Mandamus directing the respondents herein to grant the Permission/Recognition for conducting the classes from 1st to 10th Standards in the petitioners school.

3. The learned Additional Government Pleader appearing for the respondents would submit that though the petitioner claimed that nine defects pointed out have been complied with, they have not filed any materials to show that those nine defects have been complied with.

4. The learned counsel for the petitioner submitted that even though, earlier contempt application was pending before this Court, the defects pointed out by the respondents were complied with by them.

5. Be that as it may, admittedly, the compliance report was not submitted by the petitioner or it is not available with the respondents. Hence, the petitioner is directed to furnish the rectification report along with supporting documents, if any, within a period of one week from today. Thereafter, on receipt of the same, the second respondent shall inspect and furnish report to the first respondent, within a period of four weeks, who inturn would pass appropriate orders, based on the report.

6.This Writ Petition is disposed of accordingly. No costs.
Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

vv/arr

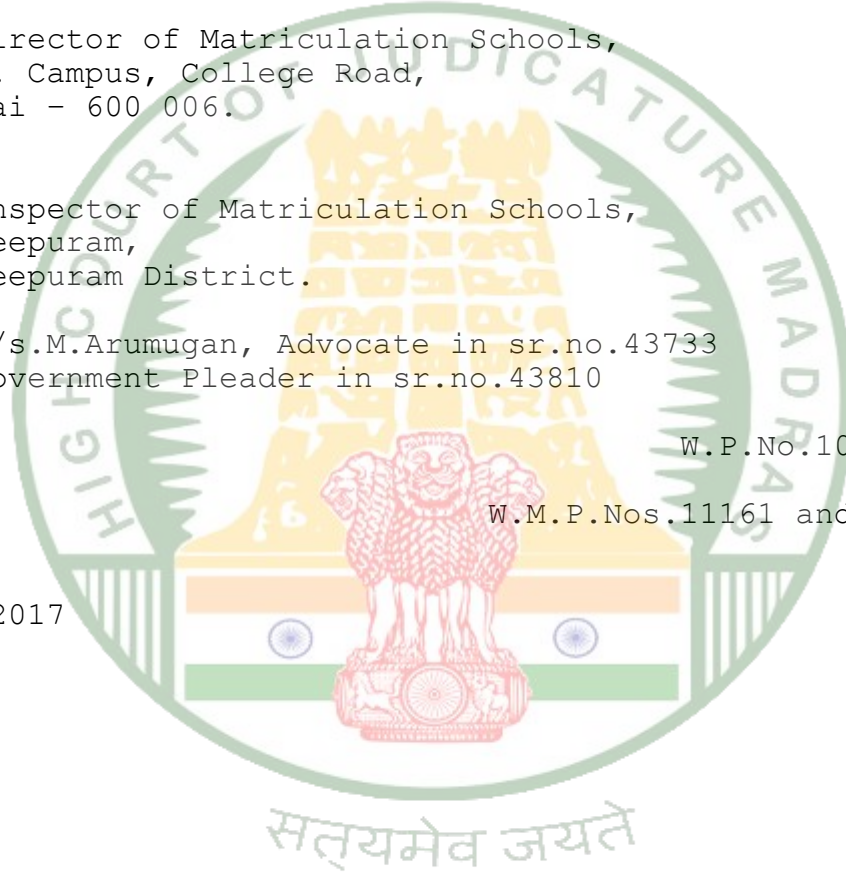
To

1. The Director of Matriculation Schools,
D.P.I. Campus, College Road,
Chennai - 600 006.
2. The Inspector of Matriculation Schools,
Kancheepuram,
Kancheepuram District.

+1cc to M/s.M.Arumugan, Advocate in sr.no.43733
+1cc to Government Pleader in sr.no.43810

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NR (CO)
NR 22/06/2017



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