

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P No.24301 of 2017

V.Gayathri

... Petitioner

Vs.

1.The Commissioner,
Kendriya Vidyalaya Sangatan,
No.18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110 016.

2.The Commissioner (Academic),
Kendriya Vidyalaya Sangatan,
No.18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110 016.

3.The Deputy Commissioner,
Kendriya Vidyalaya Sangatan,
Regional Office IIT Campus,
Chennai-600 036.

4.The Assistant Commissioner,
Kendriya Vidyalaya Sangatan,
Regional Office IIT Campus,
Chennai-600 036.

5.The Principal,
Kendriya Vidyalaya,
Neyveli Town Ship, Neyveli.

6. L.Murga Perumal

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India to issue a writ of Certiorari Mandamus to call for the records relating to the order passed by the 5th respondent in F.1-58/KVNLC/2016-17/1341 dated 06.05.2017 and quash the same and consequently direct the respondents to issue the transfer certificates of master M.Vishnu Vardhan VIII-A and Master M.Sai Krishna VI-B studying at Kendriya Vidyalaya without insisting on the no objection certificate or the consent of the 6th respondent.

For Petitioner : Mr.A.E.Lakshminarayanan

For Respondents: Mr.M.Vaidyanathan (for R1 to R5)
Standing counsel

Mr.V.Balamurugane (for R6)

O R D E R

The original writ petition has been filed by the wife, challenging the rejection of her request for issuing transfer certificates to her children M.Vishnu Vardhan and M.Sai Krishna, who are studying in the 5th respondent school. Since the petitioner and the sixth respondent, her husband were living separately, the school refused to give transfer certificates to the petitioner and noted that they have to come jointly to get the transfer certificates of their children.

2.Since the dispute is between the petitioner/wife and the 6th respondent/husband, with regard to the education of their children, as they were living separately, this Court referred the matter to the Tamil Nadu Mediation and Conciliation Centre. The Tamil Nadu Mediation and Conciliation Centre successfully mediated the matter by which the petitioner and the 6th respondent have agreed to live together. The Mediation Report dated 25.10.2017 and Mediation Agreement dated 23.10.2017 have been placed before this court. A perusal of the same would reveal that the petitioner and 6th respondent have agreed to live together.

3.Moreover, respondents 1 to 5 have agreed to issue transfer certificates of the minor children M.Vishnu Varthan and M.Sai Krishna and the 6th respondent has agreed to get admission for the children at Jawahar CBSE School, Neyveli.

4. The Mediation agreement shall form part of this order. With these observations, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

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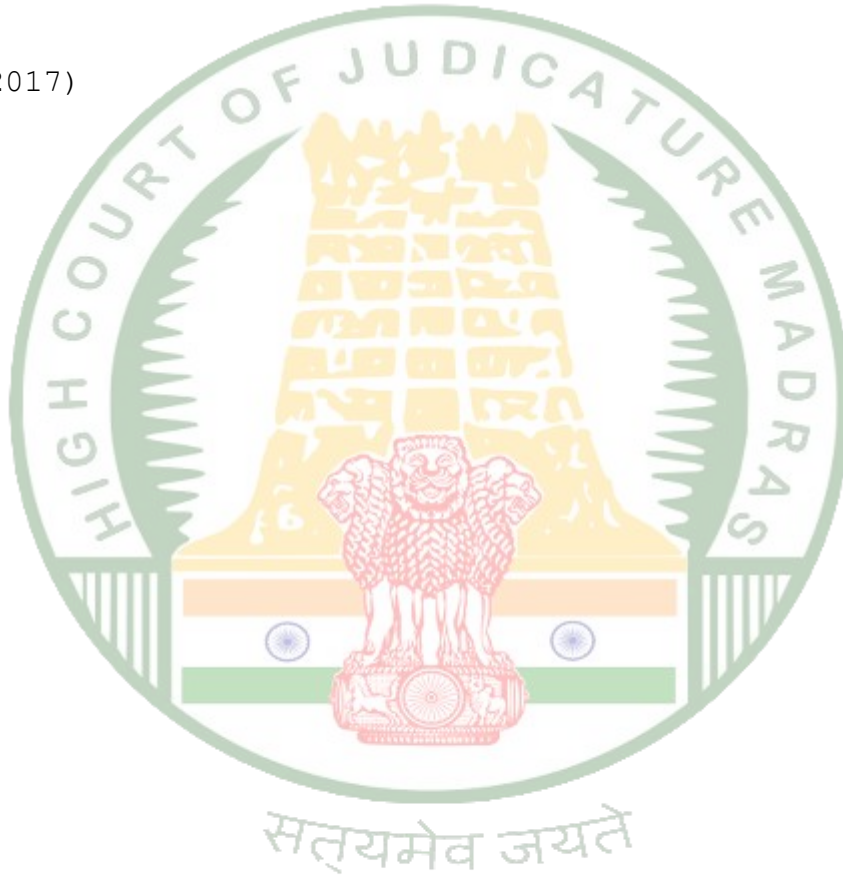
Sub Assistant Registrar

sai/mm

+ 1 cc to MR. M. Vaidyanathan, advocate SR.82616
+ 1 cc to Mr.V. Balamurugane, Advocate Sr.81789

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GJ (CO)
EU (14/12/2017)



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