

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.2805 of 2017

Sri Arungaraiamman Nallathaai
Vidhyalayam High School,
rep. by its Correspondent,
Mr.R.Nallamuthu,
Thungavi Road,
Kottamanagalam,
Udumalpet - 642 201.

... Petitioner

vs.

1. The Secretary to Government,
School Education Department,
Fort St. George,
Chennai 600 009.
 2. The Director of School Education,
College Road,
Chennai 600 006.
 3. The Joint Director of School Education,
(Elementary Education),
Directorate of School Education,
Chennai 600 006.
 4. The Chief Educational Officer,
Tiruppur, Tiruppur District.
 5. The District Educational Officer,
Tiruppur, Tiruppur District.
 6. The Director of Government Examinations,
Chennai - 600 006.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus, to call for the records relating to the impugned order passed by the 5th respondent in his proceedings vide Pro.Na.Ka.No.3711/A2/2016, dated 05.01.2017, quash the same and issue consequential directions to respondents 2 to 4 herein to

grant recognition of X standard (Tamil medium) for the petitioner school from the Academic Year 2016-2017 (from 01.06.2016) in the light of Circular of the 2nd respondent in his Na.Ka.No.6778/E8/2006, dated 06.10.2006.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.V.Anandhamoorthy,
Additional Government Pleader

O R D E R

The petitioner is before this Court seeking to quash the impugned order dated 05.01.2017 passed by the 5th respondent and for a consequential direction to respondents 2 to 4 to grant recognition of X standard (Tamil medium) for the School run by him from the Academic Year 2016-2017, in the light of the 2nd respondent's Circular dated 06.10.2006.

2. The case of the petitioner is that it is a Private Unaided School, governed by the provisions of Tamil Nadu Recognition of Private Schools (Regulations) Act, 1974 and for the purpose of the students studying in 10th standard (Tamil medium) for the academic year 2016-2017, an application was submitted on 02.07.2016 with all relevant documents, seeking permission for the students studying in 10th standard to appear for the Public Examination scheduled to be held in March 2017. Thereupon, inspection was conducted by the respondents and defects were pointed out, which were duly rectified. However, as no favourable order was passed, the petitioner filed a Writ Petition in W.P.No.636 of 2017 seeking a direction to the respondents therein to grant recognition for X Standard (Tamil medium) to their School in the light of the Circular issued by the Director of Matriculation School, Chennai, on 06.10.2016. While so, the impugned order dated 05.01.2017 came to be passed by the 5th respondent stating that the proposals for recognition of X standard (Tamil version) cannot be recommended to higher authorities for approval, as no student is studying in X standard (Tamil Medium). Challenging the same, the petitioner is before this Court.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Since the petitioner's proposal seeking approval has been rejected for the reason that no student is studying in X standard (Tamil Medium), this Court is of the view that the petitioner can satisfy all the defects pointed out by the respondents and apply afresh. In such case, the respondents shall consider the petitioner's application, upon satisfaction

of the stipulated conditions.

This Writ Petition is dismissed with the above observation.
No costs. Consequently, connected W.M.P.Nos.2734 to 2736 of
2017 are closed.

sd/

Assistant Registrar(CS III)

/true copy/

Sub Assistant Registrar

To:

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+1cc to Mr.R.Thamarai selvan, Advocate SR.No.8065

+1cc to the Government Pleader SR.No.8136.

W.P.No.2805 of 2017

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KJ(CO)
GN(15/02/2017)