

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:21.07.2017

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE P.D.AUDIKEVALU

W.P.No.32105 of 2015 and
M.P.Nos.1 and 2 of 2015

Mahindra World School (290155) managed by
Mahindra World School Educational Trust,
Plot No.30, 2nd Avenue, Mahindra World City,
Kancheepuram – 603 002.
Rep. By its Authorised Signatory,
Mr.R.Eswaran

.. Petitioner

Vs.

1.The State of Tamil Nadu
rep. By its Principal Secretary to Government,
School Education Department,
Fort St. George, Chennai – 600 009.

2.The Member Secretary,
Private Schools Fees Determination Committee,
PTA Building, DPI Campus, Chennai – 600 009.

3.The Regional Officer,
Central Board of School Education,
New No.3, Old No.1630,
J Block, 16th Main Road,
Anna Nagar West, Chennai – 600 040.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorarified Mandamus to call for the
records culminating into the order dated 29.04.2013, Review Order
dated 22.10.2013 and order dated 12.05.2015 passed by the second
respondent in respect of the Petitioner School (290155) pursuant to

the direction of Hon'ble Supreme Court of India, quash the same and consequently, direct the 2nd Respondent to verify whether the fee proposed by the Petitioner School is in commensurate with the facilities provided in the Petitioner School in view of the provisions of Tamil Nadu schools (Regulation of Collection of Fee) Act 2009 by considering the materials, details and documents submitted by the Petitioner's School on 23.08.2013 along with the Memorandum of Objections dated 23.08.2013.

For Petitioner : Mr.R.Bharath Kumar

For R1 : Mr.K.V.Dhanapalan
Special Government Pleader

For R2 : Mr.Sanjay Gandhi
Additional Government Pleader

For R3 : Mr.G.Nagarajan

ORDER

[Order of the Court was made by M.VENUGOPAL, J.]

The Learned Counsel for the Petitioner has filed a Memo dated 21.07.2017 before this Court, among other things, mentioning that the Petitioner may be permitted to withdraw the present Writ Petition No.32105 of 2015 with liberty to raise objections before the Fee Determination Committee in the matter of fixation of Fee for the future Academic Years beginning from 2018 – 2019, of course, in the manner known to Law and in accordance with Law and without being influenced by the findings in the earlier orders while determining fee to the Petitioner's School in future.

2. Recording the aforesaid fact, the Writ Petition is dismissed as withdrawn, granting liberty to the Petitioner to raise all factual and legal pleas before the 2nd Respondent/Fees Determination Committee in regard to the fixation of fee for the academic years beginning from 2018-2019, of course, in the manner known to Law. It cannot be gainsaid that the Committee in question is to pass necessary orders in regard to the fixation of fee for the academic year 2018-2019 uninfluenced by the findings rendered by it in the earlier orders at the time of fixing fee to the Petitioner's School in the near future. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

(M.V., J.) (P.D.A., J.)

21.07.2017

Speaking Order

Index :Yes / No

Internet :Yes / No

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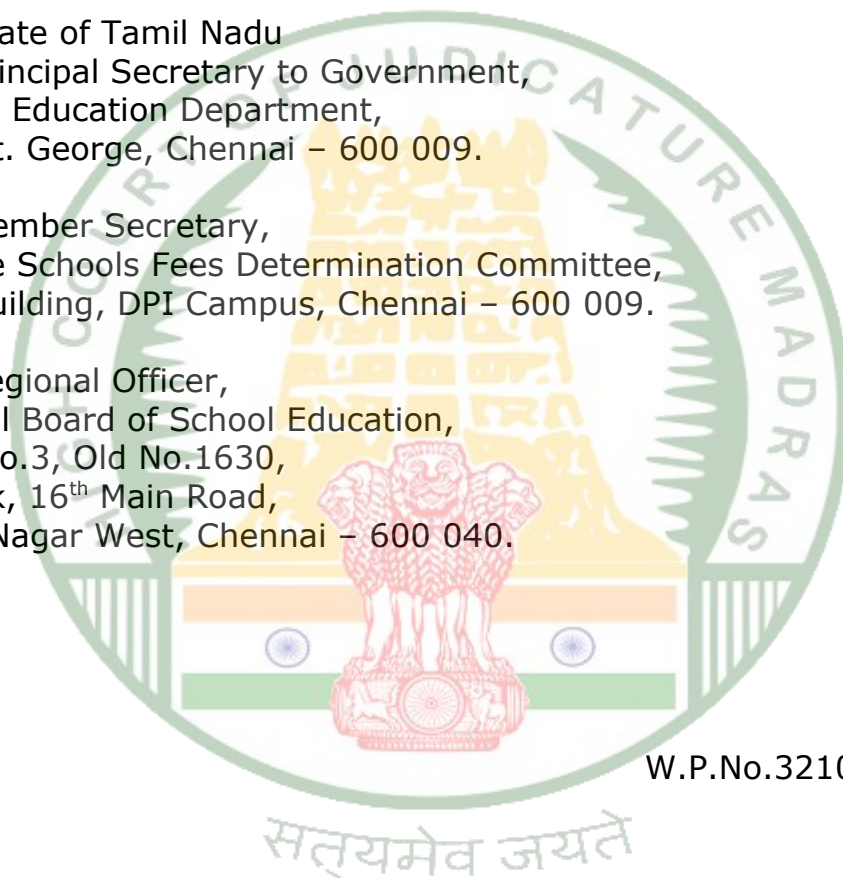
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M.VENUGOPAL, J.
and
P.D.AUDIKESSAVALU, J.

Sgl

To

- 1.The State of Tamil Nadu
The Principal Secretary to Government,
School Education Department,
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