

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19-09-2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.747 of 2015
and
M.P.Nos.1 and 2 of 2015

Alchemy Public School
Rep by its Correspondent
Mrs.Shanthi Thangavelu
Opp. PPG Institute of Technology
Saravanampattai
Coimbatore 641 035. Petitioner

-Vs-

1. Central Board of Secondary Education
"Shiksha Kendra", 2, Community Centre
Preet Vihar, Delhi - 110 301
Represented by its Secretary
2. The Director
Directorate of Matriculation Schools
DPI Campus, College Road,
Chennai - 600 006 Respondents

Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the entire records in connection with the impugned proceedings of the 1st respondent dated 17.11.2014 in SL-00356-1516 granting provisional affiliation in so far as the portion marking copy to the 2nd respondent with the request to submit objections and further statement that the professional affiliation granted will be cancelled and that of the 2nd respondent in his objection letter dated in Rc.No.6927/A3/2014 and quash and said proceedings of the respondents 1 and 2 dated 17.11.2014 and 02.12.2014.

For Petitioner : Mr.M.Venkatachalapathy
Senior Counsel

For Respondents : Mr.G.Nagarajan [For R1]
: Mr.V.Anandhamoorthy [For R2]
Additional Government Pleader

O R D E R

The Petitioner's School is functioning under Central Board of Secondary Education system.

2.On 17.11.2014, the Provisional Affiliation has been granted to the petitioner/School by the Central Board of Secondary Education, subject to the condition that the petitioner has to get "No objection" from the second respondent viz., the Director of Matriculation Schools.

3.While granting the Provisional Affiliation, a condition has been imposed by the first respondent stating that in case of any objection by the second respondent, the provisional affiliation shall be suo motu withdrawn. Aggrieved over the condition, the Petitioner has come before this Court by way of Writ under Article 226 of the Constitution of India.

4.Heard Mr.M.Venkatachalapathy, Learned Senior Counsel appearing for the petitioner, Mr.G.Nagarajan, Learned counsel appearing for the first respondent and Mr.V.Anandhamoorthy, Learned Additional Government Pleader appearing on behalf of the second respondent.

5.When the matter is called today, learned Senior Counsel appearing for the petitioner would produce a copy of the "No Objection" letter given by the second respondent/Director of Matriculation Schools as well as the Certificate of Recognition, dated 23.08.2017.

6.In view of the grant of Certificate of Recognition as well as No Objection, the question of going into the issues raised by the petitioner/School does not arise at all and therefore, the first respondent is directed to pass appropriate orders on production of Certificate of Recognition as well as No Objection Certificate granted by the second respondent/Director of Matriculation Schools.

7.In fine, the writ petition stands disposed of with a direction to the first respondent to pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

vum/maya

To

1. Central Board of Secondary Education
"Shiksha Kendra", 2, Community Centre
Preet Vihar, Delhi - 110 301
Represented by its Secretary

2. The Director
Directorate of Matriculation Schools
DPI Campus, College Road,
Chennai - 600 006

+ 1 C.C. to MR.SRIRAM, Advocate SR.NO.68546

+ 1 CC to Mr.G.Nagarajan, Advocate sr.no.68772

+ 1 cc to Government Pleader sr.no.69409

W.P.No.747 of 2015

MG [CO]
RR 16/11/2017

सत्यमेव जयते

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