

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-04-2017

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.32423 of 2016

A. Ganesan .. Petitioner
Vs.

1. The Director of Elementary Education,
DPI Complex,
College Road, Chennai-6
 2. The District Collector,
Thiruvannamalai District
Thiruvannamalai
 3. The District Elementary Educational Officer,
Thiruvannamalai District, Thiruvannamalai.
 4. The Assistant Elementary Educational Officer,
Arani Taluk, Thiruvannamalai District,
Thiruvannamalai.
- ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing the respondent's to cancel the registration No.NEE.MU.No.227/72 dated 21.04.72 granted to the school by the 3rd respondent and consequently permit the petitioner to close the school as recommended by the 4th respondent to the 1st respondent vide NA.KA.No.1813/Aa3/2012 dated 29.04.2016 within a stipulated period.

For Petitioner : Mrs.A.Anusuya

For Respondents : Mrs.Vasudha Thiagarajan
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the third respondent to cancel the registration No.NEE.MU.No.227/72 dated 21.04.72 granted to the school by the third respondent and consequently permit the petitioner to close the school as recommended by the 4th respondent.

2. The case of the petitioner is that he is the Manager/Correspondent of the Aided Elementary School, Thiruvannamalai and is looking after entire affairs of the School for the past 44 years. It is stated that at present, the building of the said School is in dilapidated condition and unsafe for the students to continue their studies. It is also stated that the parents have already admitted their children in a nearby Government School and the teachers working in the School were transferred to the nearby Government School. Hence, the petitioner gave a representation on 29.04.2015 to the respondents requesting to close the said School with effect from 31.05.2015. There was inter-communication between the respondents. The fourth respondent has inspected the petitioner-School and submitted a report, vide letter dated Na.Ka.No.1813/Aa3/2012 dated 08.12.2015, addressed to the third respondent, wherein, the fourth respondent observed that the Petitioner's School did not have any basic amenities and hence, requested the fourth respondent to state as to what future course of action should be taken in this regard. Subsequently, the fourth respondent has sent a proposal to the first respondent, vide letter in Na.Ka.No.1813/Aa3 dated 29.04.2016 requesting the first respondent as to what action is to be taken in respect of the students and teachers. The fourth respondent has informed the first respondent that he has already submitted a proposal for cancelling the registration of the School and consequently to close the School. Thus, it is the grievance of the petitioner that there is no possibility for continuing the said School. But, the respondents have not taken any action for cancelling the registration of the petitioner-School. Hence, the petitioner has filed this present Writ Petition.

3. The learned counsel appearing for the petitioner has produced a copy of the letter dated 19.01.2017 in NA.KA.No.5906/A3/2016 and that the prayer in the Writ Petition has become infructuous.

4. It appears that subsequent to the filing of the Writ Petition, the third respondent had sent a communication in NA.KA.No.5906/A3/2016 dated 19.01.2017, in which, it is stated that the petitioner's School in Reddipalayam Arani Taluk, Tiruvannamalai District was directed to be closed permanently and to absorb the teachers working there to any of the Panchayat Union Elementary School, Reddipalayam. The said communication was also served on the petitioner, vide NA.KA.No.136/A1/2017 dated 02.02.2017. As the respondents have already taken steps for closing the school as recommended by the fourth respondent vide NA.KA.No.1813/A3/2012 dated 29.04.2016, the prayer in the Writ Petition has become infructuous.

5. Recording the said proceedings dated 19.01.2017, this Writ Petition is closed. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

srn/cgi

To

1. The Director of Elementary Education,
DPI Complex,
College Road, Chennai-6
2. The District Collector,
Thiruvannamalai District
Thiruvannamalai
3. The District Elementary Educational Officer,
Thiruvannamalai District, Thiruvannamalai.
4. The Assistant Elementary Educational Officer,
Arani Taluk, Thiruvannamalai District,
Thiruvannamalai.

+1cc to M/S. A. Anusuya, Advocate Sr. 23176

W.P.No.32423 of 2016

MP (CO)
VR(24/4/2017)

WEB COPY