

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

WP.No.43695/2016 & WMP.No.37916/2016

Ms.R.Neela

...Petitioner

Versus

1. The Secretary,
Ministry of Human Resources & Development
Government of India, Shiksha Kendra
2, Community Centre, Preet Vihar
New Delhi 110301.
2. The Ministry of Human Resource & Development
Department of School Education & Literacy
Shastri Bhavan, Dr.Rajendra Prasad Road
New Delhi.
3. The Secretary to Education Department
Government of Tamil Nadu, Namakkal
Kavignar Maaligai, Fort St George,
Chennai 600 009.
4. The Director of School Education,
DPI Building, College Road,
Chennai 600 006.
5. The Hiranandani Upscale Foundation
rep. by Founder and Managing Trustee
Olympia, Central Avenue,
Hiranandani Business Park,
Powai, Mumbai.
6. The Hiranandani Upscale School
rep. by The Director
Old Mahabalipuram Road, Opp.Sipcot
IT Park, Egattur Village, Padur P.O
Kelambakkam, Kanchipuram District
Chennai 603130.

...Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of writ of mandamus directing the 6th respondent to re-schedule the timetable to enable the petitioner of 1st year Diploma to attend the classes for all the 6 subjects, they had been studying from 9th grade.

For Petitioner : Ms.Inthu Karunakaran
For RR 1 & 2 : Mr.K.Ramamoorthy, CGSC
For RR 3 & 4 : Mr.P.Sanjay Gandhi, AGP
For RR 5 & 6 : Mr.P.S.Ganesh

ORDER

After some arguments, the learned counsel for the petitioner, on instructions, would submit that the son of the petitioner, no longer is to continue his education in the 6th respondent / School and also produced the E-Mail communication dated 22.02.2017 addressed to the learned counsel for the petitioner. It is relevant to extract the same:-

"Dear Ms.Inthu Karunakaran,

With regard to the above writ petition pending before the Hon'ble High Court of Madras, the Hiranandani Upscale School, who is the 6th respondent, has offered to refund the full school fee of Rs.3,10,200/- and the refundable security deposit paid by us, along with [i] Transfer Certificate [TC] ; [2] Academic Records including Progress Card ; and [3] CAS Reports. We are also agreeable for the same and planning to collect the same from them and withdraw my son Master Arun Nandu Ramalingam from the 6th respondent School.

We thank you for your support and request you to kindly do the needful.

Regards

C.Muthukumarasamy

Father of Arun Nandu Ramalingam."

2 The Court heard the submissions of Mr.K.Ramamoorthy, learned Central Government Standing Counsel appearing for the respondents 1 and 2 ; Mr.P.Sanjay Gandhi, learned Additional Government Pleader appearing for the respondents 3 and 4 ; and Mr.P.S.Ganesh, learned counsel appearing for the respondents 5 and 6.

3 The said E-Mail communication dated 22.02.2017 is taken on file and record.

4 In the light of the said development, no further orders are necessary in this writ petition. Accordingly, the writ petition is closed.

5 However, the 6th respondent / School is directed to refund full School Fee as well as the Refundable Security Deposit as well as the testimonials / certificates, either to the father or the mother of Arun Nandu Ramalingam, as expeditiously as possible, and preferably within a period of one week from today. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary,
Ministry of Human Resources & Development
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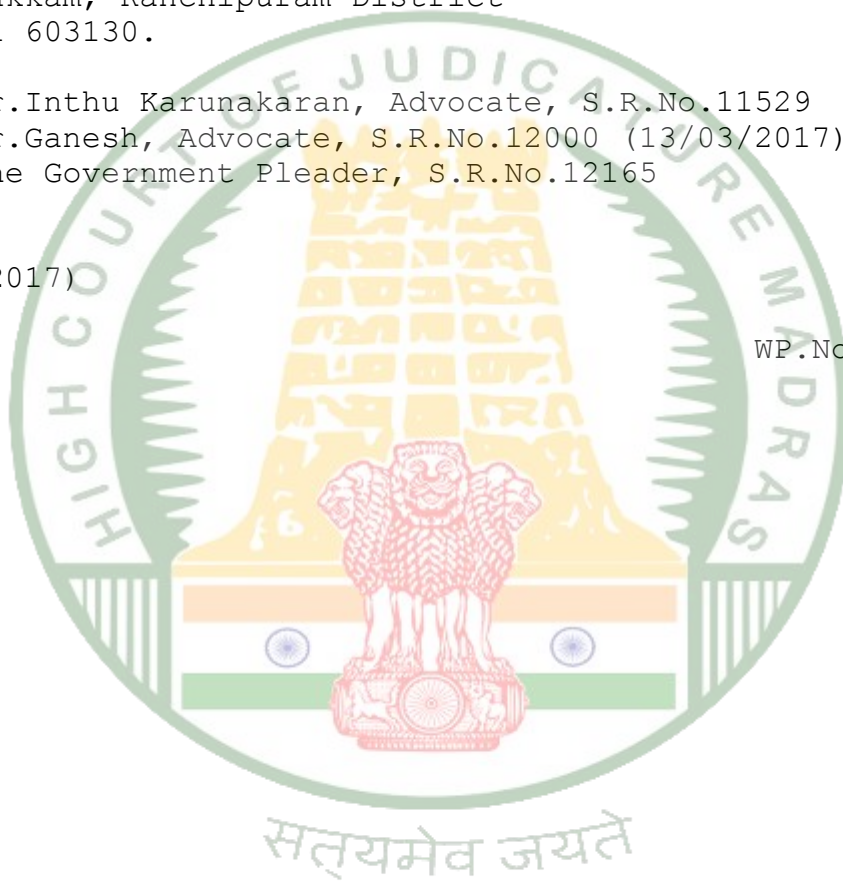
5. The Founder and Managing Trustee
Hiranandani Upscale Foundation
Olympia, Central Avenue,
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Powai, Mumbai.

6. The Director
Hiranandani Upscale School
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IT Park, Egattur Village, Padur P.O
Kelambakkam, Kanchipuram District
Chennai 603130.

+2cc to Mr.Inthu Karunakaran, Advocate, S.R.No.11529
+1cc to Mr.Ganesh, Advocate, S.R.No.12000 (13/03/2017)
+1cc to the Government Pleader, S.R.No.12165

RSY(CO)
RS(27/02/2017)

WP.No.43695/2016



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