



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.A. (MD) Nos.1252 and 1253 of 2016

and

CMP (MD) .No.8504 to 8506 of 2016

1. The District Collector,
Karur District, Collectorate,
Karur.
2. The District Educational Officer,
Karur District, Karur.
3. The Assistant Director (Panchayats),
Town Planning Authority,
Karur District, Karur. : Appellants in both WAS

Vs.

P.A.Vidhya Bhavan Higher Secondary School,
Rep.by the secretary,
Kakkavadi Road,
Thalapatti Village,
Karur Taluk, Karur. : Respondent in W.A(MD).No.1252/2016

Karur Saraswathi Vidhyalaya,
Higher Secondary School,
rep.by the Correspondent,
Thulasikodumbu,
Jegathabi,
Karur Taluk and District : Respondent in W.A(MD).No.1253/2016

PRAYER in W.A(MD).No.1252 of 2016: Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 03.07.2015 in W.P. (MD).No.10052 of 2015.

Prayer in WP(MD). 10052/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 2nd Respondent to consider petitioner's letter dated 15.04.2015 to grant continuous renewal of recognition for their school by accepting existing building plan approval obtained from local authority and directing the 3rd Respondent to



accept the school building plan approvals obtained from local authority and not to insist for new building plan approval from Town Planning Authority.

PRAYER in W.A(MD).No.1253 of 2016: Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 03.07.2015 in W.P.(MD).No.10056 of 2015.

Prayer in WP(MD). 10056/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 2nd Respondent to consider petitioner s letter dated 31.03.2015 and grant continuous renewal of recognition for their school by accepting existing building plan approval obtained from local authority and directing the 3rd respondent to accept the school building plan approvals obtained from local authority and not to insist for new building plan approval from Town Planning Authority and pass such further or other orders.

For Appellants : Mr.V.R.Shanmuganathan,
in both WAs Special Government Pleader

For Respondent : Mr.E.K.Kumaresan
in W.A(MD) 1252/2016

For Respondent : Mr.R.Narayanan
in W.A(MD) 1253/2016

C O M M O N J U D G M E N T

[Judgment of the Court was delivered by **M.M.SUNDRESH,J.**]

Heard both sides.

2.By order dated 03.07.2015 the learned single Judge, directed the appellants to consider the case of the respondents/writ petitioners and dispose of the representations dated 15.04.2015 and 31.03.2015 respectively, in the light of the Judgment of the Division Bench dated 06.04.2015 in WP(MD).No.20329 of 2014 and the order has also been complied with.

3. What has been ordered by the learned single Judge is only to consider the representation, of course in the light of the order passed by the Division Bench referred supra.

4. The learned counsel appearing for the respondents/writ petitioners would also submit that after the order passed in S.O. No. 22.04.2017, Education Department which also gives exemption from seeking permission from the Director, Town and



Country Planning.

5. We are of the view that the issues raised here are not required to go into, as the Director, Town and Country Planning, directed the appellants to consider the representations in the light of the Division Bench Order, which was also complied with. In such view of the matter these writ appeals are liable to be dismissed.

6. Accordingly, these writ appeals are dismissed. No Costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Karur District, Collectorate,
Karur.
2. The District Educational Officer,
Karur District, Karur.
3. The Assistant Director (Panchayats),
Town Planning Authority,
Karur District, Karur.

+1 cc to Mr.E.K.Kumaresan , Advocate in SR.No. 76784
+1 cc to Mr.R.Narayanan , Advocate in SR.No. 76399
+1 cc to The Special Government Pleader in SR.No.76874

dsk

AE/KK/SAR2/18.09.2017/3P/7C

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1253 of 2016
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