



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.06.2017
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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

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W.P.(MD)No.10821 of 2017

Mohammed Farishta

: Petitioner

-vs-

- 1.The Director of School Education,
Educational Department,
College Road, Chennai-06.
- 2.The Chief Educational Officer,
Sivagangai District, Sivagangai.
- 3.The District Educational Officer,
Sivagangai District, Sivagangai.
- 4.The Commissioner,
Ilayangudi Municipality,
Ilayangudi Town & Taluk,
Sivagangai District.
- 5.The District Collector,
Sivagangai District.
- 6.The Tahsildar,
Ilayangudi, Sivagangai District.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 & 5 to change the school name from Government Girls School, Ilayangudi into Thenmalaikhan Kaji Kadharsha Ponnammal Beevi- Government Girls High School.

For Petitioner : Mr.V.Lakshmanan

For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

The prayer sought for in this writ petition is to direct the respondents 1 to 3 & 5 to change the school name from Government Girls School, Ilayangudi, into Thenmalaikhan Kaji Kadharsha Ponnammal Beevi-Government Girls High School.



2.The case of the petitioner is that his father constructed the school building in the year 1967 in Survey No.26/23 at Packeer Rowther Street, Ilayangudi Town and the said school was started for the purpose of providing education for girls children.

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3.The petitioner would state that his father after managing the school for 22 years donated the same and its building along with vacant premises to the Chief Educational Officer, Sivagangai, through a registered gift deed, dated 31.12.1986. One of the conditions stipulated in the gift deed is that the building and the name of the school shall be Thenmalaikkhan Haji Kader Sha Ponnammal Beevi Government Girls High School and even if the present building is repaired, altered or newly constructed. However, contrary to the gift deed, the respondents chanced the name of the school and hence, the petitioner gave a representation to the respondents on 06.08.2016. Since there was no response, the present writ petition has been filed.

4.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

5.Considering the limited prayer sought for in this writ petition without going into the merits of the case, this writ petition is disposed of with a direction to the respondents 1 and 2 to consider the representation of the petitioner, dated 6.08.2016 and pass orders purely on merits and in accordance with law, after affording opportunity of hearing to the petitioner as well as the necessary parties, if any, within a period of six months from the date of receipt of the order copy. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To,

- 1.The Director of School Education,
Educational Department, College Road, Chennai-06.
- 2.The Chief Educational Officer,
Sivagangai District, Sivagangai.
- 3.The District Educational Officer,
Sivagangai District, Sivagangai.
- 4.The Commissioner, Ilayangudi Municipality,
Ilayangudi Town & Taluk, Sivagangai District.
- 5.The District Collector, Sivagangai District.
- 6.The Tahsildar, Ilayangudi, Sivagangai District.

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