



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD)No.19842 of 2017

The Correspondent / Trustee,
Sri Venkatachalapathy Charitable Trust /
Kamaraj Vidyalaya Nursery and Primary School,
Sakthi Vinayagar Kovil Street,
Kumaragiri, Pudukkottai,
Thoothukudi District.

... Petitioner

Vs.

1. The Chief Educational Officer,
Thoothukudi District, Thoothukudi.

2. The District Educational Officer,
Thoothukudi District, Thoothukudi.

3. The District Elementary Educational Officer,
Thoothukudi District, Thoothukudi.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to grant permission / recognition to the Petitioner to run Kamaraj Vidyalaya Nursery and Primary School in Pudukkottai, Thoothukudi District on the application submitted by the Petitioner and the consequent explanation dated 30.08.17.

For Petitioner	: Mr.G.Prabhu Rajadurai
For Respondents	: Mr.M.Alagathevan, Special Government Pleader

ORDER

By consent, this writ petition itself is taken up for final disposal at the stage of admission itself.

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents.

3. According to the petitioner, he started a School and seeking permission / recognition for the same, he approached the authorities and due to the inaction on their part, W.P(MD)No.21843 of 2016 came to be filed, wherein, by order dated 15.11.2016, this Court had directed the authorities to consider the claim of the



petitioner. Pursuant to the same, the application of the petitioner along with the enclosures came to be returned for compliance of certain discrepancies. After rectifying and complying the same, the petitioner has re-presented his application on 30.08.2017 and as the same is kept pending, without any action, the petitioner is before this Court, again.

4. The learned Special Government Pleader, on instructions, submitted that necessary orders would be passed on the application of the petitioner, within a stipulated time limit.

5. Under such circumstances, this Court is of the view that though by order dated 15.11.2016, the authorities were directed to pass appropriate orders on the claim of the petitioner, nothing moved on and there is no point in keeping the same pending and hence, the first respondent is directed to consider the application of the petitioner dated 30.08.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The Chief Educational Officer,
Thoothukudi District, Thoothukudi.
2. The District Educational Officer,
Thoothukudi District, Thoothukudi.
3. The District Elementary Educational Officer,
Thoothukudi District, Thoothukudi.

+ 1 CC TO MR.G.Prabhu Rajadurai, ADVOCATE IN SR No.84507

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.84384

gk

MK/KK/SAR-1/13.11.2017/2P/6C