



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.20664 of 2017

WEB COPY

Minor.Poornachandra

Through her adoptive mother and guardian

Shanthakumari

.. Petitioner

Vs.

1.The Chief Educational Officer,
Collectorate Campus,
Kokkarakulam, Tirunelveli.

2.The District Educational Officer,
Collectorate Campus,
Kokkarakulam, Tirunelveli.

3.The Principal,
Saradha Girls Matriculation Higher Secondary School,
Ariyakulam, Tirunelveli.

.. 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 1st respondent to direct the 3rd respondent to issue the Transfer Certificate of Poornachandra to her in the presence on the basis of the petitioner's representation dated 26.09.2017.

For Petitioner : Mr.B.N.Raja Mohamed

For R1 & R2 : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

ORDER

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

2. Heard the learned Counsel for the petitioner and Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, who takes notice for the respondents 1 & 2. Notice to the third respondent is dispensed with, as no adverse order is going to be passed against them.

<https://hcservices.ecourts.gov.in/hcservices/>
According to the guardian the petitioner, who is a minor girl aged about 15 years, she adopted the petitioner, under the



SWEKARA mode of adoption. Alleging that the third respondent school denies to issue the petitioner's Transfer Certificate, separate representations were submitted to the respondents by both the petitioner as well as her guardian and as the same are kept pending, without any action, they are before this Court.

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4. When the matter is taken up for hearing, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 26.09.2017, is disposed of, by the authorities, on merits, within a stipulated time limit, for which, the learned Additional Government Pleader has no serious objections.

5. Considering the facts and circumstances of the case and the limited scope of the relief sought for, this Court, without going into the merits of the case, directs the respondents 1 & 2, to consider the representation of the petitioner dated 26.09.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and all other interested parties, if any, so as to produce all the required documentary evidences, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1.The Chief Educational Officer,
Collectorate Campus,
Kokkarakulam, Tirunelveli.

2.The District Educational Officer,
Collectorate Campus,
Kokkarakulam, Tirunelveli.

+1cc to Mr.B.N.RAJA MOHAMED, Advocate, SR. 86044

+1cc to M/S.Special Government Pleader, SR. 86566

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KK/SV MMS/SAR 4/20.11.2017/ 2P- 5C/