



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.21168 of 2017

R.Samuel Sundarraaj

... Petitioner

vs.

1.The Directorate of Matriculation Schools,
DPI Campus,
Chennai - 600 006.

2.The Chief Educational Officer,
O/o.Chief Educational Officer,
S.N.High Road,
Tirunelveli - 627 001.

3.The Inspector of Matriculation Schools,
O/o.Inspector of Matriculation Schools,
Kokkirakulam
Tirunelveli

4.Ln.Prof.Dr.S.Ambrose M.Sc. Ph.D.,
Correspondent,
Good Shepherd Matriculation School,
(Formerly Saraswathi Vidyalaya Matric School),
N.G.O.A Colony Extension,
Tirunelveli - 627 007.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to consider my representation dated 12.08.2017 and to conduct an enquiry after affording an opportunity of personal hearing to me and the 4th respondent herein and to cancel the proceedings bearing Na.Ka.No.5073/A4/2014 dated 19.10.2015 issued in favour of the 4th respondent herein (Saraswathy Vidhyalaya Matriculation School, N.G.O. A Colony (extension) Tirunelveli) which is similar to the name of the school run by the petitioner.

For Petitioner : Mr.S.P.Maharajan

For RR - 1 & 2 : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

O R D E R

This writ petition has been filed seeking a direction to the first respondent to consider the representation of the petitioner dated 12.08.2017 and conduct enquiry, after affording an opportunity of personal hearing to the petitioner and fourth respondent and cancel the proceedings of the first respondent in Na.Ka.No.5073/A4/2014 dated 19.10.2015 issued in favour of the fourth respondent herein.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2.

3.According to the petitioner, the petitioner is running a Nursery Primary School from the year 2003. The fourth respondent, who purchased a school by name Saraswathy Vidhyalaya Matriculation School, which is situated within three kilometres from the petitioner school, changed the name of the school, similar to the name of the petitioner-school, vide the proceedings of the first respondent dated 19.10.2015. Challenging the same, the petitioner is before this Court with the above prayer.

4.Though the writ petition has been filed challenging the impugned orders, the learned counsel for the petitioner, now confines his prayer to direct the first respondent to consider the representation, after affording an opportunity of personal hearing to the petitioner.

5.In view of the said submission, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the petitioner dated 12.08.2017 and pass orders thereon on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner as well as fourth respondent.

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

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1.The Directorate of Matriculation Schools, DPI Campus,
Chennai - 600 006.

2.The Chief Educational Officer,
O/o.Chief Educational Officer,
S.N.High Road, Tirunelveli - 627 001.

+One cc to M/s.S.P.Maharajan, Advocate, SR.No.87534

+One cc to The Special Government Pleader, SR.No.88210

mj

<https://hcservices.ecourts.gov.in/hcservices/>
RL/SC/ZP/KR/SAR4/4/12/2017

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