



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

W.P. (MD).No.6956 of 2017
and W.M.P (MD).No.5489 of 2017

WEB COPY

Moorthi Primary School,
Represented by its Manager,
J.R.John Samuel Nallathambi,
Kandiaperi,
Thachanallur Post,
Tirunelveli District.

.. Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The District Elementary Educational Officer,
O/o. The District Elementary Educational Officer,
SN High Road,
Tirunelveli District.

3.The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Educational Officer,
Manur Rastha,
Tirunelveli District.

4.The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Educational Officer,
Tirunelveli Urban, S.N.High Road,
Tirunelveli District.

5.S.T.C.Kilai Mathakovil Primary School,
Rep by its Correspondent,
Courtallam Road, Tirunelveli Town,
Tirunelveli District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent No.1 to 4 not to permit the Respondent No.5 from admitting the Petitioner's School Children and the children below 14 years residing in the census area of the Petitioner's School in violation of the Rule 6(6) of the Right of Children to Free and Compulsory Education Rules, 2010.

For Petitioner

:Mr.T.Lajapathi Roy

<https://hcservices.ecourts.gov.in/hcservices/ToR4>

:Mr.M.Alagathevan

Special Government Pleader

**O R D E R**

The prayer in the writ petition is to issue a Writ of Mandamus directing the Respondents 1 to 4 not to permit the Respondent No.5 from admitting the Petitioner's School Children and the children below 14 years residing in the census area of the Petitioner's School in violation of the Rule 6(6) of the Right of Children to Free and Compulsory Education Rules, 2010.

2. The case of the petitioner is that the petitioner school is providing education to the rural children, who are residing in and around the school. The grievance of the petitioner school is that the fifth respondent school has been plying the vehicles for the purpose of admitting the school children. In view of the fact that the fifth respondent school has been plying the vehicles, many children, who were originally admitted in the petitioner school, left the school and joined the fifth respondent school. According to the petitioner, the fifth respondent school is violating the Rule 6(6) of the Right of Children to Free and Compulsory Education Rules, 2010. The learned counsel appearing for the petitioner further states that the fifth respondent must be prevented by the official respondents from admitting the school children.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4.

4. I am unable to accept the submission of the learned counsel for the petitioner. I am also unable to accept the prayer sought for in this writ petition. It appears that the petitioner school has some grievance against the fifth respondent school and the present attempt by filing the writ petition seems to have closed the fifth respondent school on the basis of competitive performance between the petitioner school and the fifth respondent school. Such writ petition in order to promote personal agenda cannot be entertained by this Court.

5. In the result, this writ petition is dismissed. No costs. Consequently, connected W.M.P.(MD)No.5489 of 2017 is also dismissed.

Sd/-
Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

TO:

1. The District Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
Tirunelveli District,
Tirunelveli.



2.The District Elementary Educational Officer,
O/o. The District Elementary Educational Officer,
SN High Road,
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3.The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Educational Officer,
Manur Rastha,
Tirunelveli District.

4.The Assistant Elementary Educational Officer,
O/o. The Assistant Elementary Educational Officer,
Tirunelveli Urban, S.N.High Road,
Tirunelveli District.

+1cc to M/S.T.LajapathiRoy,Advocate,SR.52616

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 52782

W.P. (MD) .No.6956 of 2017
and

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CM/IA

kk/SV MMS/03.08.2017-3P-7C

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