

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2018

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.20160 to 20162 of 2018

Royal Matriculation School,
Rep. by its Correspondent T.Sampanthamoorthy,
Poompuhar Main Road, Sangiruppu,
N.P.Chavadi Post, Tharangampadi Taluk,
Nagapattinam District-609 107.

.. Petitioner in W.P.No.20160 of 2018

RVS Bharath Matriculation School,
Rep. by its Correspondent S.R.Swaminathan,
Ayakkaranpulam,
Vedaranyam-T.K.,
Nagapattinam District-614 707.

.. Petitioner in W.P.No.20161 of 2018

N.A.M.Matriculation School,
Rep. by its Correspondent T.Ravikumar,
Nenveli, Mulankuzhi Post,
Kanyakumari District-629 163.

.. Petitioner in W.P.No.20162 of 2018

Vs.

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

सत्यमेव जयते
.. Respondent in all the Writ Petitions

Writ Petition No.20160 of 2018 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to process the application dated 30.03.2018 of the petitioner for Continuation of Recognition till 10th Standard without insisting upon Building Plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law by this Court.

Writ Petition No.20161 of 2018 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to process the application dated 19.06.2018 of the petitioner for Continuation of

Recognition till 10th Standard without insisting upon Building Plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law by this Court.

Writ Petition No.20162 of 2018 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to process the application dated 05.07.2016 of the petitioner for Upgradation of School Recognition till 10th Standard without insisting upon Building Plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law by this Court within a time frame fixed by this Court.

For Petitioners : Mr.E.Vijay Anand
all WPs

For Respondent : Mrs.V.Annalakshmi, Government Advocate
all Wps

ORDER

The petitioner-Schools have come up with the present Writ Petitions seeking direction to the respondent not to insist upon the Building Plan approval from the Director of Town and Country Planning (DTCP) in respect of the upgradation of school recognition/continuation of recognition of the petitioners' institutions as sought for in their respective representations to the respondent.

2. When the Writ Petitions are taken up for hearing, learned Government Advocate appearing for the respondent submitted that the issue involved in these Writ Petitions is covered by the order dated 04.07.2017 passed by this Court in W.P.No.15334 of 2017, wherein, this Court has directed the Respondent(s) therein to consider the petitioner's application seeking approval/permission to start Arts and Science College for Women, without insisting upon the production of approval of the building plan by the Department of Town and Country Planning. For better understanding, relevant portion of the said order is extracted hereunder:

"9. Therefore, by following the above said order passed by this Court in W.P.Nos.20890 and 20891 of 2016, dated 31.08.2016, which infact, followed by another learned Judge in W.P.No.9219 of 2017, dated 17.4.2017, this writ petition is disposed of, with a direction to the respondents to consider the application filed by the petitioner seeking for approval / permission to start the Arts and Science College for Women, without insisting upon the production of approval of the building plan by the

Department of Town and Country Planing. In all other aspects, the petitioner shall satisfy the authorities viz., the respondents, if the certificates already produced by them are not sufficient enough insofar as those aspects are concerned. The respondents shall consider the application of the petitioner and pass appropriate orders within a period of four weeks from the date of production of certificates. The petitioner shall produce the other required certificates before the authorities within a period of two weeks from the date of receipt of a copy of this order. ... "

3. On the same terms, this Court disposed of the following Writ Petitions also:

- (i) W.P.Nos.682 and 683 of 2018, dated 19.01.2018
- (ii) W.P.No.2148 of 2018, dated 15.02.2018

4. In fine, the present Writ Petitions are also disposed of on the same terms as mentioned in the above Writ Petitions. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

cs

To

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

+lcc to Mr.E.Vijay Anand, Advocate SR.No.53151
+lcc to Government Pleader SR.No.54080

W.P.Nos.20160 to 20162 of 2018

GJII(CO)
GN(27/08/2018)