

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2018

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
W.P.No.5033 of 2011
and M.P.Nos.2, 3 &4 of 2011

Tmt.N.Syamala Devi,
Correspondent,
Rukmuni Matriculation School,
Plot No.Q-100-A, M.M.D.A.Colony,
Arumbakkam, Chennai - 600 106. ... Petitioner

Vs

1.The Director of Matriculation Schools,
D.P.I.Complex, College Road,
Chennai - 600 006.

2.The Inspector of Matriculation Schools,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.

3. Maruthi Educational Trust,
Represented by its Trustee,
Mrs.Jamuna Chandrayya,
Q-110-A M.M.D.A Colony,
Arumbakkam, Chennai - 106.

and having residence at
9/6, Venugopal Avenue,
Mayor Ramanathan Rd,
Chepet, Chennai - 31.

4. Dr.Geetha Haripriya @ Geetha Gopalasamy
5. E.Raghova Rao
6. G.Kamala
7. E.V.K.Prasad.

(R3 to R7 Impleaded as per order dated 11.3.2011)

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for all records pertaining to proceedings in O.Mu.No.3980/B2/2010 dated 13.12.2010 and quash the same and direct the respondents to process petitioner's application dated 20.10.2010 for grant of opening permission for Rukmuni Matriculation School in accordance with law.

For Petitioner : Mr.R.N.Amarnath
For R1 & R2 : Mrs.V.Annalakshmi,
Government Advocate
For R3 to R7 : Mr.Anand Sasidharan

O R D E R

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus to quash the proceedings dated 13.12.2010 and to process the petitioner's application dated 20.10.2010 for grant of opening permission for Rukmini Matriculation School in accordance with law.

2 The learned counsel appearing for the petitioner submits that the prayer of certiorari to quash the proceedings dated 13.12.2010 has become infructuous. The order dated 13.12.2010 was only to enable the petitioner to run the Maruti Matriculation School till the end of the academic year on 31.05.2011 by granting special permission to run the school by revoking the earlier order directing closure of the said school.

4 The petitioner has also filed WP No. 14519 of 2011 challenging the order dated 25.04.2011 of the second respondent recalling the approval of result of the students of Standard I to VI of Rukmani Matriculation School for the academic year 2010-2011. This Court has also dismissed the earlier writ petition No. 14519 of 2011 as infructious.

5 The learned counsel for the petitioner further submits that the petitioner's school has submitted a fresh application on 24.04.2016. If it is so, it is open to the petitioner to pursue the fresh application.

6. It is reported before this Court that there is an arbitral proceedings pending between the partners who claimed to have established Maruti Matriculation School. In such circumstances, the learned counsel for the respondents 3 to 7 requested before this Court to make an observation that any order that may be passed by the educational authorities will be subject to the final order to be passed by the Arbitrator in the arbitration proceedings.

7 Having regard to the position that there is a dispute that is pending before the arbitrator, the arbitrator may also consider the interim order, if any, passed by the educational authorities.

8 In the result, the writ petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rpl

To

1.The Director of Matriculation Schools,
D.P.I.Complex,
College Road,
Chennai - 600 006.

2.The Inspector of Matriculation Schools,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.

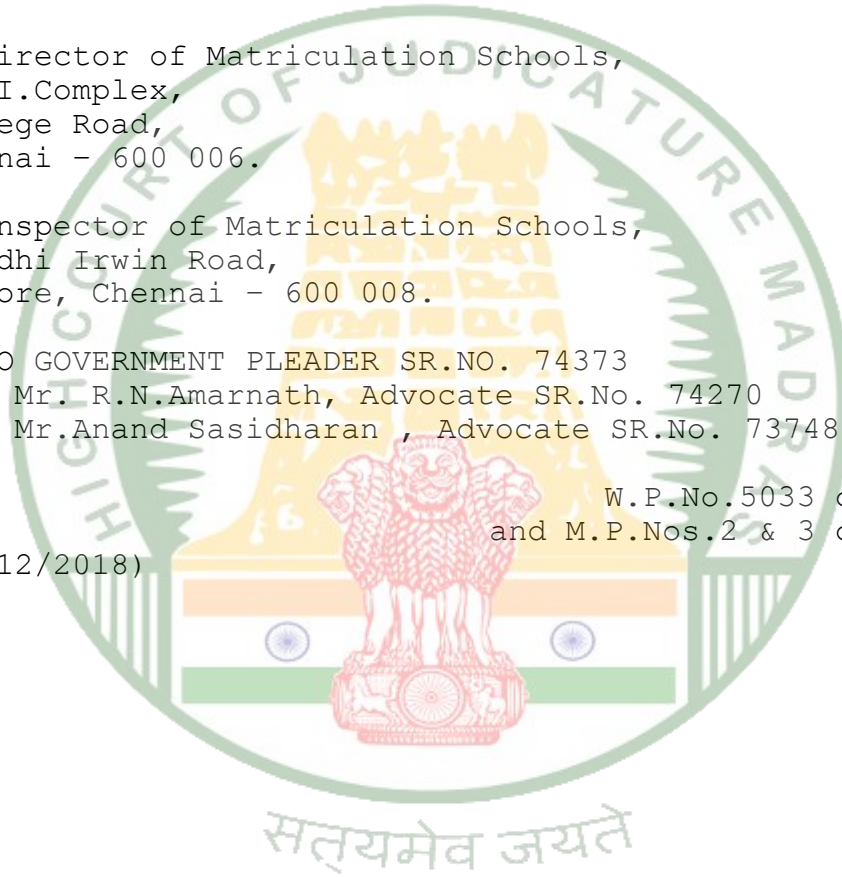
+1 CC TO GOVERNMENT PLEADER SR.NO. 74373

+1cc to Mr. R.N.Amarnath, Advocate SR.No. 74270

+1cc to Mr.Anand Sasidharan , Advocate SR.No. 73748

W.P.No.5033 of 2011
and M.P.Nos.2 & 3 of 2011

ASK(21/12/2018)



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