

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2018

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.30566 of 2012 &
M.P.No.1 of 2012

Bharathi Nursery and Primary School,
Rep. by it's Correspondent, E. Annamalai,
#2, Old Mosque street,
Cheyaar & Taluk
Thiruvannamalai District - 604 407. ... Petitioner

Vs.

1. The Director,
Elementary Education,
DPI Campus, College Road,
Chennai - 06.
2. The Chief Elementary Educational
Officer (C.E.E.O),
Thiagi Annamalai School Campus,
Thiruvannamalai District,
Thiruvannamalai - 606 601.
3. The District Elementary Educational
Officer (D.E.E.O),
Thiruvannamalai District,
5th street, Gandhi Nagar,
Thiruvannamalai - 606 601. ... Respondents

Prayer:

Petition filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in connection with the impugned order passed in Na.Ka.No.4870 Aa1/2012 dated 31.08.2012 and to quash the same and further direct the respondents to up-grade the petitioner school into one of middle school within a reasonable time.

For Petitioner	:	Mr.S.Sivakumar
For Respondents	:	Mr.P.Raja Government Advocate

O R D E R

Heard Mr.S.Sivakumar, learned counsel for the petitioner and Mr.P.Raja, learned Government Advocate for the respondents and perused the materials available on record.

2. This writ petition has been filed for issuance of Writ of Certiorarified Mandamus, to call for the records of the second respondent in connection with the impugned order passed in Na.Ka.No.4870 Aa1/2012 dated 31.08.2012, in and by which, the request of the petitioner for upgradation of School from 6th to 8th standard was rejected and for consequential direction to consider the case of the petitioner.

3. A perusal of the order dated 21.06.2012 would show that for upgrading the standard from 6th to 8th, the petitioner has to approach the Inspector of Matriculation as per Rule 10 of Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974. However, the petitioner instead of approaching the competent authority has again approached the Chief Educational Officer and hence the application was rejected, by way of the impugned order.

4. The learned Government Advocate would state that if the application comes through proper channel, it would be considered in accordance with law.

5. In the light of the above facts, the petitioner is given liberty to approach the Competent Authority for upgradation of the School. If any application is made, the same shall be considered in accordance with law.

6. With the above observation, this Writ Petition is disposed of. There is no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gsi/rns
To

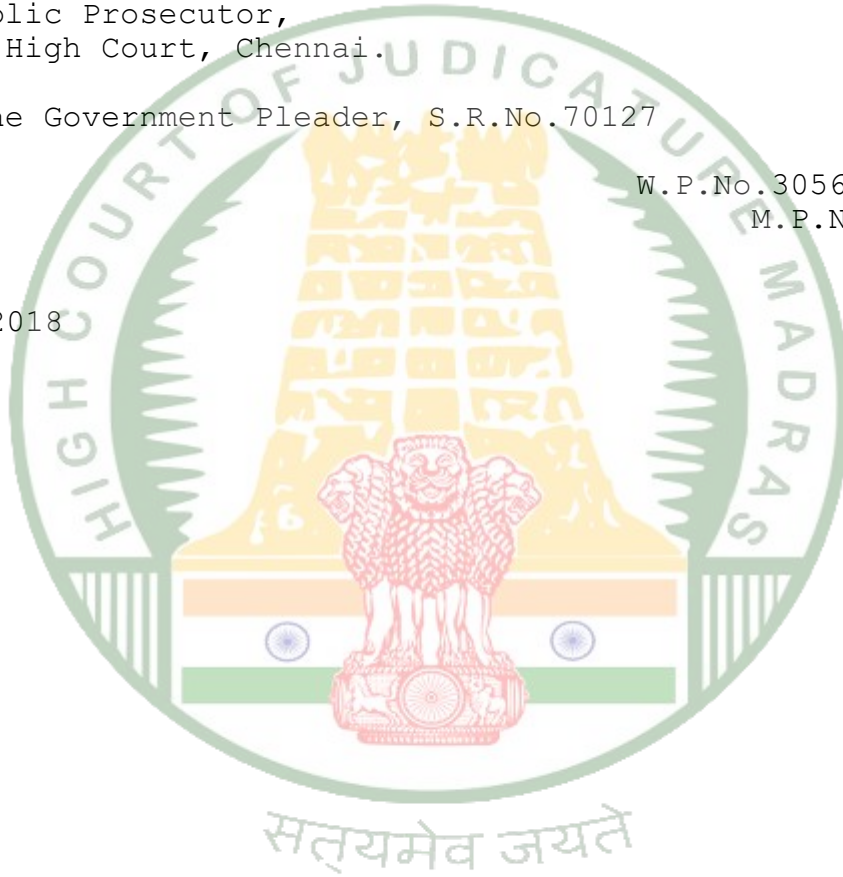
1. The Director,
Elementary Education,
DPI Campus, College Road,
Chennai - 06.

2. The Chief Elementary Educational Officer (C.E.E.O),
Thiagi Annamalai School campus,
Thiruvannamalai District,
Thiruvannamalai - 606 601.
3. The District Elementary Educational Officer (D.E.E.O),
Thiruvannamalai District,
5th street, Gandhi Nagar,
Thiruvannamalai - 606 601.
4. The Public Prosecutor,
Madras High Court, Chennai.

+1cc to the Government Pleader, S.R.No.70127

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VBA(CO)
CS/29/10/2018



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