

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2018

CORAM
THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.No.8479 of 2015
and M.P.Nos. 1 to 3 of 2015

Hiranandani Upscale School,
Represented by its Director,
Ms.Janice Menzies,
No.5/63, Old Mahabalipuram Road,
Egattur Village, Thalambur Post,
Chennai - 600 130.

... Petitioner

vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
to the Government,
School Education Department,
Fort St.George,
Chennai - 600 006.
2. The Director of School Education,
DPI Complex,
Chennai - 600 006.
3. The Chief Educational Officer,
Kancheepuram.
4. The Zonal Officer
Central Board of Secondary Education,
New No.3, J-Block,
16th Main Road, Anna Nagar,
Chennai - 600 040.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the Letter dated 06.02.2015 on the file of the first respondent and quash the same and consequently direct the first respondent to pass appropriate orders on the petitioner's application dated 11.02.2013 and the subsequent representation dated 24.02.2014 by conferring the status of a linguistic minority institution on the Petitioner School.

For Petitioner : Mr.V.P. Raman

For Respondents : Mrs.V. Annalakshmi
Government Advocate for R1-3

Mr.T.Jeevanantham for R4

ORDER

This writ petition has been filed for issuing a Writ of Certiorarified Mandamus to quash the proceedings of the first respondent dated 06.02.2015 and further to direct the first respondent to pass appropriate orders on the petitioner's application dated 11.02.2013 and the consequent representation dated 24.02.2013, by conferring the status of the petitioner as linguistic minority institution. By the impugned order, the first respondent refused to recognize the petitioner institution as a linguistic minority institution, on the ground that the petitioner school has not obtained approval from the State Government.

2. The learned counsel for the petitioner has now represented that the petitioner has got the recognition from the State Government. The learned counsel for the petitioner further stated that the petitioner originally was governed by CBSE syllabus after they got recognition from CBSE. But now, it has obtained recognition from the International Board. In view of the change of circumstances, the learned counsel appearing for the petitioner submitted that the petitioner may be permitted to make a fresh application to the first respondent and the first respondent may be directed to consider that application on merits within the time stipulated by this Court.

3. The learned counsel appearing for the respondents have no dispute with regard to the factual submission made by the learned counsel for the petitioner.

4. In view of the above, this Court is inclined to pass the following orders :-

(i) The petitioner is directed to submit a fresh application to the first respondent, within the period of two weeks from the date of receipt of a copy of this order.

(ii) Upon submission of such application by the petitioner, the first respondent is directed to consider the application and dispose of the same on merits and in accordance with law, within a period of six weeks from the date of receipt of the said application submitted by the petitioner.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

smv/rts

To

1. The Principal Secretary,
State of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai - 600 006.
2. The Director of School Education,
DPI Complex,
Chennai - 600 006.
3. The Chief Educational Officer,
Kancheepuram.
4. The Zonal Officer
Central Board of Secondary Education,
New No.3, J-Block,
16th Main Road, Anna Nagar,
Chennai - 600 040.

+1cc to Mr.V.P.Raman, Advocate, S.R.No.69232
+1cc to Mr.G.Nagarajan, Advocate, S.R.No.69492
+1cc to the Government Pleader, S.R.No.69672

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rrs 12/11/2018

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