

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.05.2018

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.11601 of 2018

and

Wmp No.13578 of 2018

B.Usharani

...Petitioner

. Vs.

- 1.The Secretary to Government,
School Education Department,
Fort St.George,
Chennai 600 009.
- 2.The Director of School Education,
College Road,
Chennai-600 006.
- 3.The Joint Director,
Directorate of Elementary Education,
Dharmapuri,
Dharmapuri District.
- 4.The Chief Educational Officer,
Dharmapuri District,
Dharmapuri.
- 5.R.Munirathinam

सत्यमेव जयते ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to take immediate appropriate action against the 5th respondent for establishing a school without obtaining an affiliation/recognition from the concerned Authorities and to proceed against him as per Section 18 of the Right of Children to Free and Compulsory Education Act, 2009 based on the petitioner's representation dated 03.04.2018 within a time frame fixed by this Hon'ble Court.

For Petitioner	: Mr.S.Sathia Chandran
For Respondents	: Mr.K.Karthikeyan Government Advocate

ORDER

The petitioner herein aggrieved by some transfer of lands effected by the fifth respondent has come out with this writ petition seeking a mandamus alleging that the fifth respondent has established a school without obtaining necessary permission from the authorities viz., respondents 1 to 4.

2.The learned Government Advocate appearing for the respondents 1 to 4 submits that there is no such school established by the fifth respondent, and if any such school is likely to be established without permission - they will take appropriate action.

3.On perusing the affidavit, this Court clearly sees that there is a private dispute between the petitioner and the fifth respondent and hence, the present writ petition has been filed. The powers of this Court under Article 226 of the Constitution of India cannot be abused to settle private dispute under the garb of public interest.

4.Hence, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
School Education Department,
Fort St.George,
Chennai 600 009.
- 2.The Director of School Education,
College Road,
Chennai-600 006.
- 3.The Joint Director,
Directorate of Elementary Education,
Dharmapuri,
Dharmapuri District.

4.The Chief Educational Officer,
Dharmapuri District,
Dharmapuri.

+1cc to Mr.S.Sathia Chandran, Advocate sr.no.32894
+1cc to Government Advocate sr.no.33075

W.P.No.11601 of 2018

nr 09/05/2018



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