

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2018

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.12759 of 2018

St. Charles School,
Yercaud Taluk,
Salem District - 636 601,
rep. by its Provincial Superior.

... Petitioner

vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai.

2. The Chief Educational Officer,
Salem, Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents herein to consider the application of the Petitioner for grant of recognition upto VIII Standard under Rule 12 of the Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011, and the application of the Petitioner for 'No Objection Certificate' based upon compliance report of the Petitioner, dated 10.05.2018 for the purpose of affiliating the Petitioner School to the Central Board of Secondary Education, within a time frame.

For Petitioner : Mrs.Dakshayani Reddy

For Respondents : Mr.A.Rajaperumal,
Additional Government Pleader

O R D E R

The Petitioner-School has come up with the present Writ Petition seeking a direction to the Respondents herein to consider their application seeking grant of recognition upto VIII Standard under Rule 12 of the Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011, and their application for 'No Objection Certificate' based upon their compliance report dated 10.05.2018, for the purpose of affiliating the Petitioner School to the Central Board of Secondary Education.

2. Learned counsel for the Petitioner submitted that all the documents sought by the Respondents have been produced except DTCP approval, which is not required in view of the order dated 30.10.2015 of the Madurai Bench of this Court in W.P.No.26813 of 2015, which has been confirmed in W.A.No.220 of 2016, by judgment dated 03.06.2016.

3. Today, when the matter is taken up for hearing, learned Additional Government Pleader submitted that the Respondents will take into account the decision of this Court with regard to the non-insistence of DTCP approval. However, he submitted that the Petitioner's request will be considered in accordance with law, only if they furnish all the necessary documents.

4. In view of the above, Respondents are directed to consider the Petitioner's application and take a decision in accordance with law within a period of two months from the date of receipt of a copy of this order and in this regard, if any further documents are required from the Petitioner, they may be called for from them.

The Writ Petition is disposed of with the above observation and direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Director of School Education,
DPI Campus, College Road,
Chennai.

2. The Chief Educational Officer,
Salem, Salem District.

+1cc to Mr.VijayGanesh, Advocate Sr.No.37380
+1cc to Special Government Pleader Sr.No.36980

SVN(CO)
sm:19.6.2018

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