

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.03.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.32316 of 2015

and

M.P.No.1 of 2015

A.Murugan

..Petitioner

vs

1.The Chief Secretary/Vigilance Commissioner,
Fort St.George, Chennai - 9.

2.The Secretary,
School Education Department,
Fort St.George, Chennai - 9.

3.The Director of School Education,
College Road, Chennai - 6.

4.The Director of Matriculation Schools,
College Road, Chennai - 6.

5.The Chief Education Officer,
Salem - 636 001.

6.The Inspector of Matriculation Schools,
Salem - 636 001.

7.The Correspondent,
Sree Gokulam Matriculation
Higher Secondary School,
Palanipuram, Singipuram Post,
Valappady Taluk,
Salem District - 636 115

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to take necessary action against the respondents nos.3 to 6 for not strictly implementing the school fee fixation committee orders of the 7th respondent school for the present academic year of 2015-2016.

For Petitioner :Mr.T.Sundaravadanam
For RR1 to R6 :M/s.A.Rajaperumal, AGP
For R7 :Mr.T.Muruga Manickam

O R D E R

The writ petition has been filed for a Mandamus, directing the respondents 1 and 2 to take necessary action against the respondents 3 to 6 for not strictly implementing the orders of the school fee fixation committee by the 7th respondent school for the academic year of 2015-2016.

2.It is alleged in the affidavit filed in support of this writ petition that the seventh respondent School has collected exorbitant fee, as against the fee fixed by the Committee. Further, the seventh respondent school is functioning, without authorized planning permission and recognition, whereas, such allegations are refuted by the Educational authorities by filing a counter affidavit, stating that as per the orders of the Director of Matriculation Schools, the seventh respondent school is authorised to conduct classes from LKG to 12; they have obtained building plan approval from the Village Panchayat President, Singipuram Panchayat and also from the Director of Town and Country Planning Authority; and it was revealed from the enquiry conducted by the Chief Educational Officer, Salem that the fee collected in the school is as fixed by the Private Schools Fee Determination Committee.

3.The seventh respondent has also filed a counter affidavit, inter alia, stating that after obtaining the necessary permission and approval, the building was constructed and the seventh respondent is functioning and the fee is collected as per the fee structure fixed by the Committee.

4.When the things stood so, at the time of hearing, the learned counsel for the petitioner, on instructions, submitted that the petitioner is inclined to pay the fee as fixed by the Committee, without any demand, however, his only requirement is to give proper intimation or instruction by the seventh respondent to all the parents, with regard to the collection of fee as fixed by the Committee.

5.Agreeing with the submission so made by the learned counsel for the petitioner, learned counsel for the seventh respondent submitted that the fee would be collected by the seventh respondent, as fixed by the Fee Fixation Committee.

6.In the light of the aforesaid submissions made by the learned counsel for the petitioner as well as the learned

counsel for the seventh respondent, this Court is of the opinion that no further order is required in this writ petition.

7.Recording the same, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kak/rk

To

- 1.The Chief Secretary/Vigilance Commissioner,
Fort St.George, Chennai - 9.
- 2.The Secretary, School Education Department,
Fort St.George, Chennai - 9.
- 3.The Director of School Education,
College Road, Chennai - 6.
- 4.The Director of Matriculation Schools,
College Road, Chennai - 6.
- 5.The Chief Education Officer,
Salem - 636 001.
- 6.The Inspector of Matriculation Schools,
Salem - 636 001.

+1cc to Mrs.Zeenath Begam, Advocate, S.R.No.21535
+1cc to Mr.T.Muruga Manickam, Advocate, S.R.No.21496
+1cc to the Government Pleader, S.R.No.22318

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LRS (CO)
CS/25/04/18