

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2018

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.15031 of 2018

V.Sheela
Correspondent,
Venkata Krishna Vidyalaya,
D/o.Vellaiyan,
Kaligoundanoor Colony,
Vellar Post, Mettur Taluk,
Salem District.

... Petitioner

vs.

1. The Director of Matriculation School,
DPI Campus,
Chennai 600 006.

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

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the Respondents not to insist upon Building Plan from the Director of Town and Country Planning in respect of the Petitioner's Institution "Venkata Krishna Vidyalaya Nursery and Primary School" under the Venkata Krishna Trust from Pre K.G. to 5th Standard at Kaikottai Vedlour Village, Mettur Taluk and process the application for recognition and upgradation based on local body building Plan approval in view of the various orders passed by this Court. सत्यमेव जयते

For Petitioner : Mr.D.Rajagopal

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

O R D E R

Petitioner has come up with the present Writ Petition seeking a direction to the Respondents not to insist upon Building Plan from the Director of Town and Country Planning in respect of the Institution "Venkata Krishna Vidyalaya Nursery and Primary School" under the Venkata Krishna Trust from Pre K.G. to 5th Standard at Kaikottai Vedlour Village, Mettur Taluk

and process the application for recognition and upgradation based on the local body building Plan approval in view of the various orders passed by this Court.

2. When the matter is taken up for hearing, learned Additional Government Pleader appearing for the Respondents submitted that the issue involved in this Writ Petition is covered by the order dated 04.07.2017 passed by this Court in W.P.No.15334 of 2017, wherein, this Court has directed the Respondents therein to consider the Petitioner's application seeking approval/permission to start Arts and Science College for Women, without insisting upon the production of approval of the building plan by the Department of Town and Country Planning (DTCP). For better understanding, relevant portion of the said order is extracted hereunder:

"9. Therefore, by following the above said order passed by this Court in W.P.Nos.20890 and 20891 of 2016, dated 31.08.2016, which infact, followed by another learned Judge in W.P.No.9219 of 2017, dated 17.4.2017, this writ petition is disposed of, with a direction to the respondents to consider the application filed by the petitioner seeking for approval / permission to start the Arts and Science College for Women, without insisting upon the production of approval of the building plan by the Department of Town and Country Planing. In all other aspects, the petitioner shall satisfy the authorities viz., the respondents, if the certificates already produced by them are not sufficient enough insofar as those aspects are concerned. The respondents shall consider the application of the petitioner and pass appropriate orders within a period of four weeks from the date of production of certificates. The petitioner shall produce the other required certificates before the authorities within a period of two weeks from the date of receipt of a copy of this order. "

3. On the same terms, this Court disposed of the following Writ Petitions also.

- (i) W.P.Nos.682 and 683 of 2018, dated 19.01.2018
- (ii) W.P.No.2148 of 2018, dated 15.02.2018

4. In fine, the present Writ Petition is also disposed of on the same terms as mentioned in the above Writ Petitions. No costs. Consequently, W.M.P.No.17796 of 2018 is closed.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Director of Matriculation Schools,
DPI Campus,
Chennai 600 006.
2. The Chief Educational Officer,
Salem District,
Salem.

+1cc to Mr.D.RAJAGOPAL, Advocate, S.R.No.41304
+1cc to the Government Pleader, S.R.No. 42333

Order in
W.P.No.15031 of 2018

SV(CO)
TR(12/07/2018)

सत्यमेव जयते

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