

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.15755 and 15756 of 2018

Shri.Natarajan Memorial Public School,
Rep. by its Correspondent,
S.S.N.Rajkamal,
Karaimedu, Seerkaali,
Nagapattinam District.

.. Petitioner in
W.P.No.15755 of 2018

Veeta Varsity International School,
Rep. by its Correspondent,
R.Sangeetha,
Kiloy-Manalmedu,
Mayiladuthurai Taluk,
Nagapattinam District.

.. Petitioner in
W.P.No.15756 of 2018

Vs.

The Director of School Education,
DPI Compound,
College Road,
Chennai-600 006.

.. Respondent in both the
Writ Petitions

Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of Writs of Mandamus to direct the respondent to process the applications, dated 30.05.2018 of the petitioners for issuance of NOC for the purpose of starting CBSE Schools without insisting upon approval from the Directorate of Town and Country Planning DTCP in view of settled proposition of law within a time frame that may be fixed by this Court.

For petitioners : Mr.E.Vijay Anand

For respondent : Mr.A.Raja Perumal, Addl.G.P.

ORDER

The petitioners have come forward with the above Writ Petitions praying for issuance of Writs of Mandamus to direct

the respondent to process the applications, dated 30.05.2018 of the petitioners for issuance of NOC for the purpose of starting CBSE Schools, without insisting upon approval from the Directorate of Town and Country Planning DTCP, in view of the settled proposition of law, within a time frame that may be fixed by this Court.

2. When the Writ Petitions are taken up for hearing, learned Additional Government Pleader appearing for the respondent submitted that the issue involved in these Writ Petitions, 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 Director 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 in fact, 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 Planning. 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 and
(ii) W.P.No.2148 of 2018, dated 15.02.2018

4. In fine, the present Writ Petitions are also disposed of on the same terms as mentioned in the above Writ Petitions. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

cs

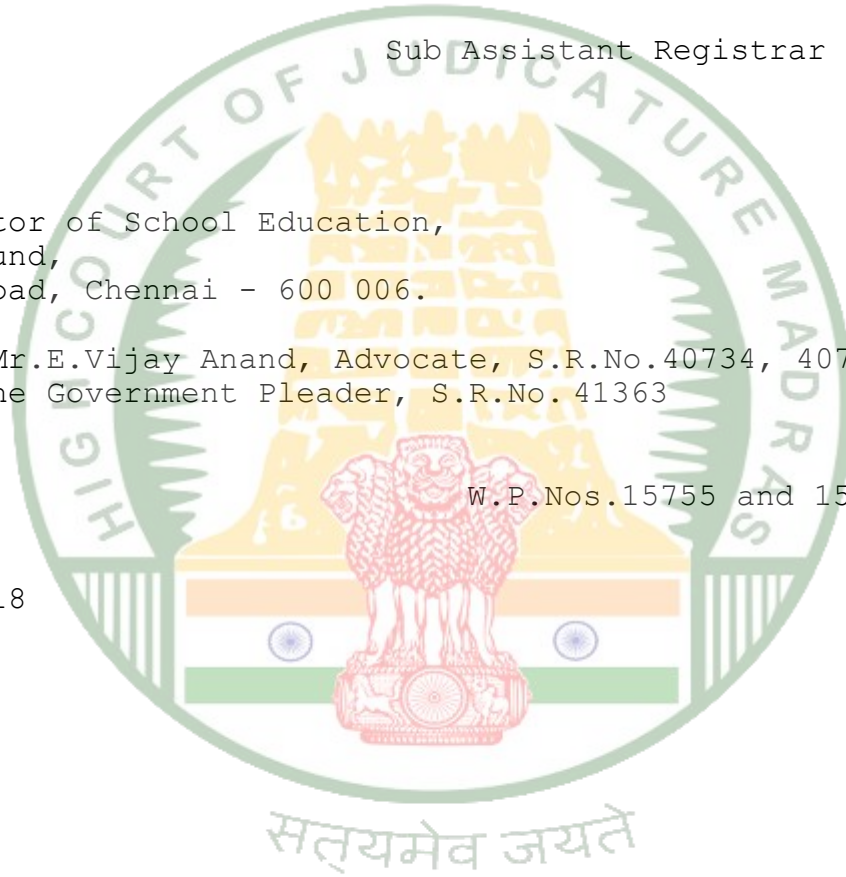
To

The Director of School Education,
DPI Compound,
College Road, Chennai - 600 006.

+2ccs to Mr.E.Vijay Anand, Advocate, S.R.No.40734, 40735
+1cc to the Government Pleader, S.R.No. 41363

W.P.Nos.15755 and 15756 of 2018

RK(CO)
CS/02/07/18



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