

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

WRIT PETITION No.15863 of 2018

Khader Mohideen

...Petitioner

Vs.

1. The Seethakathi Matriculation
Higher Secondary School,
rep. by its Principal,
No.23, 24, 3rd Street,
Nethaji Nagar, Tondiarpet,
Chennai - 81.
 2. The Chief Educational Officer,
Matriculation Schools,
Office of the Chief Educational Officer,
Egmore, Chennai.
 3. The Director of School Education (Matriculation),
College Road,
Egmore, Chennai.
- Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, seeking a direction to the 1st Respondent to forthwith admit the Petitioner's son K.Mohammed Suhaib in Class 11 Commerce Group and daughter K.Thasnim Banu in Class 8, permitting them to attend classes regularly for the academic year 2018-19.

For Petitioner : Mr.N.A.Nissar Ahmed

For 1st Respondent : Mr.D.Baskar

For Respondents 2 & 3 : Mrs.V.Annalakshmi,
Government Advocate

O R D E R

Petitioner has come up with the present Writ Petition seeking a direction to the 1st Respondent to forthwith admit his son viz. K.Mohammed Suhaib in Class 11 Commerce Group and his daughter viz. K.Thasnim Banu in Class 8 and permit them to

attend Classes regularly for the academic year 2018-19.

2. According to the Petitioner, both his son and daughter were admitted in the 1st Respondent School and his daughter had been studying in the said School from L.K.G. till 7th Standard and his son had been studying in the said School from 7th Standard to 10th Standard. The case of the Petitioner is that his son has to be admitted in 11th Standard and his daughter has to be admitted in 8th Standard in the 1st Respondent School, but, the School Management is refusing admission to his children.

3. Today, when the matter is taken up for hearing, learned counsel appearing for the 1st Respondent, producing the counter affidavit of the 1st Respondent, submitted that the 1st Respondent/School has not objected or refused admission to the Petitioner's daughter in 8th Standard. It is his further submission that the 1st Respondent/School can admit only 20 students in a group in XI Standard and that the Petitioner has not submitted any application seeking admission to his son for XI Standard.

4. Heard the learned counsel for the parties. As the 1st Respondent/School has stated that they have no objection in granting admission to the Petitioner's daughter, viz. K.Thasnim Banu in Class VIII, the 1st Respondent/School is directed to admit the Petitioner's daughter in Class VIII in the present academic year.

5. As far as the Petitioner's son viz. K.Mohammed Suhaib is concerned, it is seen that the Petitioner has not made any application to the 1st Respondent/School seeking admission for him in Class XI. Had the Petitioner made an application to the 1st Respondent/School seeking admission for his son in Class XI, depending upon the marks secured by him, this Court would have come to his rescue. Since no such application is made by the Petitioner seeking admission for his son, this Court is of the view that the action of the 1st Respondent/School in not providing a seat to the Petitioner's son, is perfectly justified.

The Writ Petition is disposed of with the above direction and observation. No costs. Consequently, connected W.M.P.No.18864 of 2018 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To:

1. The Chief Educational Officer,
Matriculation Schools,
Office of the Chief Educational Officer,
Egmore, Chennai.
2. The Director of School Education (Matriculation),
College Road,
Egmore, Chennai.

+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No.47304

W.P.No.15863 of 2018

GSP(18/07/2018)



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