

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2018

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.16697 to 16700, 16731 to 16736
and 16484 to 16491 of 2018

Our Lady of Fathima Matriculation School,
Rep. by its Correspondent N.Victor Inbaraj,
Adichanur,
Kandachipuram TK,
Villupuram District-605 758

... Petitioner in W.P.No.16697 of 2018

VIJI VIDYALAYA
MATRICULATION SCHOOL CORRESPONDENT T.
KARTHIKA THIRUTHARAKOSAMANGA
RAMANATHAPURAM DISTRICT- 623 533.

... PETITIONER in WP No.16698 of 2018

SHIVA SAKTHI MATRICULATION
SCHOOL REP BY ITS CORRESPONDENT D.DURAI
SWAMY PANAMKUPPAM KOLIYANUR VILLUPURAM
DISTRICT- 605 103.

... PETITIONER in WP No.16699 of 2018

JEEVA MATRICULATION SCHOOL
REP BY ITS CORRESPONDENT R.MANGAIYARKARASI
SUBRAMANIYAPURAM CUDDALORE TK CUDDALORE
DISTRICT- 607 301.

.... PETITIONER in WP No.16700 of 2018

SWAMI VIVEKANANDHA
MATRICULATION SCHOOL REPRESENTED BY
CORRESPONDENT K.P.ILLAMPARATHI ANDARKADU
VEDARANIAM NAGAPATTINAM DISTRICT-614 810

... PETITIONER in WP No.16731 of 2018

ANJANEYA MATRICULATION SCHOOL
REP BY ITS CORRESPONDENT R.SHURNAVELMURUGAN
SIVAPURAM ILLANCHEAMPUR POST MUTHUKULLATHUR
TALUK RAMANATHAPURAM DISTRICT-623 704

... PETITIONER in WP No.16732 of 2018

SHRI.MUTHURAJAM MATRICULATION
SCHOOL REP BY ITS CORRESPONDENT P.
SHIVASANKAR KARKOIL VILLAGE SIRKALI TK
NAGAPATTINAM DISTRICT-609 111

... PETITIONER in WP No.16733 of 2018

ST.JOHNS MATRICULATION SCHOOL
REP.BY CORRESPONDENT I.EDITH MANGAYARKARASI
PALLIYADI P.O. KANYAKUMARI DISTRICT-629 169

... PETITIONER in WP No.16734 of 2018

PERUN THALAIVAR KAMARAJAR
MATRICULATION SCHOOL REP BY ITS
CORRESPONDENT R.RAVICHANDRAN 1/153 A-10
KAMARAJAR NAGAR EAST STREET THALAVAIPURAM
VIRUDHUNGAR DISTRICT-609 111

... PETITIONER in WP No.16735 of 2018

BEST MATRICULATION HIGHER
SECONDARY SCHOOL REP BY ITS CORRESPONDENT
SSN.RAJKAMAL THENPATHI SIRKALI
NAGAPATTINAM DISTRICT - 609 111

... PETITIONER in WP No.16736 of 2018

NAPAC MATRICULATION SCHOOLS
REP. BY ITS CORRESPONDENT PRABAKARAN NO.
1/149-B KUMARAGURUBARAN STREET
SEMBANARKOIL NAGAPATTINAM DISTRICT

... PETITIONER in WP No.16484 of 2018

GOOD LUCK MATRICULATION
SCHOOLS REP. BY CORRESPONDENT M.A.NAZIR
AHAMED MAIN ROAD SRIKANDAPURAM KUTTALAM
TALUK NAGAPATTINAM DISTRICT-612 203.

... PETITIONER in WP No.16485 of 2018

VELAMMA KALASETRA
MATRICULATION SCHOOL REP. BY CORRESPONDENT
V.RAMALINGAM VELAMMAL GARDEN NO.69A/D
KEEZHA MANTHOPPU ST KUTTALAM NAGAPATTINAM
DT-609 801.

... PETITIONER in WP No.16486 of 2018

SARADHAMBAL VIDYASHRAM
MATRICULATION SCHOOL REP. BY CORRESPONDENT
R.DHARMIYAN THETHAKUDI SOUTH VEDARANYAM
NAGAPATTINAM DISTRICT-614 809.

... PETITIONER in WP No.16487 of 2018

JAIHIND MATRICULATION
SCHOOL REP. BY ITS CORRESPONDENT M.
BALASUBRAMANIYAN SIVAN KOIL NORTH STREET
THERAZHUNDUR KUTTALAM TALUK NGAPATTINAM
DISTRICT-609 808.

... PETITIONER in WP No.16488 of 2018

MOUNT CARMEL CONVENT NURSERY
AND PRIMARY SCHOOL REP. BY CORRESPONDENT SR.
SWATHI MAIN ROAD ERUKKUR SIRKALI TALUK
NAGAPATTINAM DISTRICT-609 108.

... PETITIONER in WP No.16489 of 2018

SRI RAMAKRISHNA VIDYALAYA
MATRIC HIGHER SECONDARY SCHOOL REP. BY
CORRESPONDENT K.LEELAVATHI MANALMEDU
MAYILADUTHURAI TALUK NAGAPATTINAM DISTRICT-609 202

... PETITIONER in WP No.16490 of 2018

VICTORIA MATRICULATION SCHOOL
REP. BY CORRESPONDENT R.KUNJAPPAN
THIRUMULLAIVASAL NAGAPATTINAM DISTRICT-609 113

.... PETITIONER in WP No.16491 of 2018

Vs.

THE DIRECTORATE OF MATRICULATION SCHOOLS,
DPI CAMPUS,
COLLEGE ROAD,
CHENNAI-600 006.

... RESPONDENT IN ALL WPS

Writ Petition No.16697 of 2018 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to process the representation dated 28.06.2018 of the petitioner for upgradation of school recognition from Class Vth to VIIIth without insisting upon Building Plan 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.

WP No.16698 of 2018

Directing the respondent to process the representation dated 14.03.2018 of the petitioner for Upgradation of School Recognition from class L.K.G to VIIIth without insisting upon Building Plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Hon ble court.

WP No.16699 of 2018

Directing the respondent to process the representation dated 28.06.2018 of the petitioner for Upgradation of School Recognition from class Xth to XIIth without insisting upon Building Plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Hon ble court.

WP No.16700 of 2018

Directing the respondent to process the representation dated 28.06.2018 of the petitioner for Upgradation of School Recognition from class Xth to XIIth without insisting upon Building Plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Hon ble court.

WP No.16731 of 2018

Directing the Respondent to process the Representation dated 02.05.2018 of the petitioner for Upgradation of School Recognition from class VIth to Xth without insisting upon Building plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16732 of 2018

Directing the Respondent to process the Representation dated 29.06.2018 of the petitioner for Upgradation of School Recognition from class LKG to VIII th without insisting upon Building plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16733 of 2018

Directing the Respondent to process the Representation dated 29.06.2018 of the petitioner for Upgradation of School Recognition from class LKG to X th without insisting upon

Building plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16734 of 2018

Directing the Respondent to process the Representation dated 28.06.2018 of the petitioner for Upgradation of School Recognition from class X to XII th without insisting upon Building plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16735 of 2018

Directing the Respondent to process the Representation dated 28.06.2018 of the petitioner for Upgradation of School Recognition from class X to XII th without insisting upon Building plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16736 of 2018

Directing the Respondent to process the Representation dated 21.05.2018 of the petitioner for Renewal of Recognition without insisting upon Building plan approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16484 of 2018

Directing the respondent to process the representation dated 19.4.2018 of the petitioner for Upgradation of School Recognition from Class 10th to 12th without insisting upon Building Plan Approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16485 of 2018

Directing the respondent to process the representation dated 28.6.2018 of the petitioner for Upgradation of School Recognition from Class Xth to XIIth without insisting upon Building Plan Approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16486 of 2018

Directing the respondent to process the representation dated 28.6.2018 of the petitioner for Upgradation of School Recognition from Class Vth to Xth without insisting upon Building Plan Approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16487 of 2018

Directing the respondent to process the representation dated 26.3.2018 of the petitioner for Upgradation of School Recognition from Class 8th to 10th without insisting upon Building Plan Approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16488 of 2018

Directing the respondent to process the representation dated 28.6.2018 of the petitioner for Upgradation of School Recognition from Class 10th to 12th without insisting upon Building Plan Approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16489 of 2018

Directing the respondent to process the representation dated 16.3.2018 of the petitioner for Upgradation of School Recognition from Class Vth to Xth without insisting upon Building Plan Approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16490 of 2018

Directing the respondent to process the representation dated 28.6.2018 of the petitioner for Upgradation of School Recognition from Class 10th to 12th without insisting upon Building Plan Approval from the Directorate of Town and Country Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

WP No.16491 of 2018

Directing the respondent to process the representation dated 28.6.2018 of the petitioner for Upgradation of School Recognition from Class Vth to Xth without insisting upon Building Plan Approval from the Directorate of Town and Country

Planning (DTCP) in view of settled proposition of law within a time frame fixed by this Honourable Court

For Petitioner
in all Wps : Mr.E.Vijay Anand

For Respondent
in all Wps : Mrs.V.Annalakshmi, Government Advocate

ORDER

The petitioners have come up with the present Writ Petitions seeking direction to the respondent not to insist upon the Building Plan approval from the Director of Town and Country Planning (DTCP) in respect of the upgradation of the petitioners' institutions as sought for in their respective representations to the respondent.

2. When the Writ Petitions are taken up for hearing, learned Government Advocate 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 Respondent(s) 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. 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 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
- (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 VI)

//True Copy//

Sub Assistant Registrar

cs

TO:

The Directorate of Matriculation Schools,
DPI Campus,
College Road,
Chennai-600 006.

+3cc to Mr.E.Vijay Anand, Advocate sr.no.43336,43334,43335
+1cc to Government Pleader in sr.no.44039

W.P.Nos.16697 to 16700,
16731 to 16736 and
16484 to 16491 of 2018

GMR(CO)
NR 17/07/2018

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