

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2018

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.15586 of 2008
and
MP.Nos.1 and 2 of 2008

Thiru Param Matriculaion School
rep. by its Secretary and Correspondent ... Petitioner

Vs

- 1.The State of Tamil Nadu,
rep.by the Secretary to Government,
Education Department,
Chennai -9.
 - 2.The Director of Matriculation Schools,
College Road,
Chennai -6.
 - 3.The Inspector of Matriculation Schools,
Salem - 636 001.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order passed by the second respondent in his proceedings in Na.Ka.No.4175/E5/2007 dated 22.04.2008 and quash the same and directing the respondents to grant permanent recognition for the petitioner's Matriculation School.

For Petitioner : Mr.S.N.Ravichandran

For R1 to R3 : Mr.A.Rajaperumal, AGP

ORDER

This writ petition is directed against the order dated 22.04.2008, whereby, the second respondent has granted temporary recognition from 1.4.2005 to 31.3.2008 and refused to grant further recognition from 30.04.2008 onwards. It is further stated in the impugned order that the petitioner shall not run the school as a matriculation school from 30.04.2008 onwards.

2. Though the petitioner has raised very many averments challenging the order impugned in this writ petition, the learned counsel for the petitioner, during the course of arguments, submitted that it would suffice, if the petitioner is permitted to submit a fresh proposal for conducting the classes from LKG to V standards from 01.06.2018 onwards. To that effect, the learned counsel also filed an undertaking affidavit of the petitioner dated 18.03.2018, wherein, it has been stated as follows:

"In the light of the stay order, the school is functioning till date from LKG to V Std with student strength of 115. I hereby undertake to run the Matriculation school till the academic year i.e, 30th April 2018. From 1.6.2018 onwards, the petitioner may be permitted to run the school as Primary and Nursery school from I to V standards, on the basis of the proposal submitted as early as 30.5.2011 to the DEEO, Salem, by granting necessary permission and recognition."

3. The learned Additional Government Pleader appearing for the respondents has no serious objection in granting such relief to the petitioner.

4. In view of the submissions made by the learned counsel on either side and taking note of the statement made in the Undertaking affidavit dated 18.03.2018 filed by the petitioner, this Court permits the petitioner to submit a fresh proposal for commencing the classes from LKG to V standards with effect from 01.06.2018 onwards, to the authorities concerned within a period of two weeks from the date of receipt of a copy of this order. On such submission, the authorities concerned shall consider the same and pass appropriate orders, on merits and as per law, after affording an opportunity of personal hearing to the petitioner, within a period of four weeks thereafter. While doing so, the authorities concerned shall keep in mind the pendency of the earlier proposal dated 30.05.2011 submitted by the petitioner in this regard.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
The State of Tamilnadu,
Education Department,
Chennai -9.

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

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

+1cc to Mr.S.N.Ravichandran, Advocate, S.R.No.20433

+1cc to the Government Pleader, S.R.No.20916

W.P.No.15586 of 2008

KJ(CO)

RRK(23/03/2018)



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