

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.02.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.7662 & 7663 of 2016

M/s.Sri Sairam Medical & Educational Center Trust
Rep.by its Managing Trustee Mrs.Usha Moorthy
Perichagoundampatti Village
Vagurappampatti Post
Harur Taluk, Dharmapuri District. ...Petitioner in Both W.Ps

vs

1. The Director of Matriculation Schools,
DPI Compound, College Road,
Chennai - 600 006.
 2. The Inspector of Matriculation Schools,
(The Indian Matriculation Schools)
3rd Floor, District Collectorate,
Salem - 636 001.
 3. M/s.Sri Sankara Educational Trust,
Rep.by its Managing Trustee,
Madam, Kancheepuram.
 4. M/s.Sri Jayendira Saraswathi Swamigal
Golden Jubilee Trust
Rep.by its Managing Trustee
Madam, Kancheepuram.
 5. The Correspondent,
Sri Sankata Matriculation School,
Perichagoundampatti Village,
Vagurappampatti Post,
Harur Taluk, Dharmapuri District ...Respondents in
W.P.No.7662 of 2016
- *****
1. The District Collector,
Dharmapuri.
 2. The Tahsildar,
Harur Taluk, Harur.

3. M/s.Sri Sankara Educational Trust,
Rep.by its Managing Trustee,
Madam, Kancheepuram.

4. M/s.Sri Jayendira Saraswathi Swamigal
Golden Jubilee Trust
Rep.by its Managing Trustee
Madam, Kancheepuram.

5. The Correspondent,
Sri Sankata Matriculation School,
Perichagoundampatti Village,
Vagurappampatti Post,
Harur Taluk, Dharmapuri District

...Respondents in
W.P.No.7663 of 2016

Prayer in W.P.No.7662 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forbear the respondents 1 and 2 herein from initiating any proceedings leading to grant of affiliation/recognition for the 5th respondent school, beyond the academic year 2015-16, i.e, for academic years 2016-17 onwards until adjudication of title over the proprieties in O.S.No.11 of 2014 on the file of the Learned District Munsif, Harur.

Prayer in W.P.No.7663 of 2016: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forbear the respondents 1 and 2 herein from initiating any proceedings leading to grant of patta or effecting mutation of revenue records, over the proprieties comprised in Survey No.291/4A, 0.45.0 Hectares, Survey No.293/7A, 0.53.5 Hectares, 308/1A, 0.42.5 Hectares, all these forming part of Patta No.1488 and Survey No.291/3A, 0.80.0 Hectares, Survey No.392/2, 0.71.0 Hectares, all these forming para of Patta No.1691, situated in Vagurappampatti Village, Harur Taluk, Dharmapuri District, until adjudication of title over the aforesaid properties pending as O.S.No.11 of 2014 on the files of the Learned District Munsif, Harur.

For Petitioner
(in Both W.Ps)

: Mr.S.Selvakumar

For RR1 & R2
(in Both W.Ps)

: M/s.C.Munusamy
Special Government Pleader
(Education)

For R3
(in Both W.Ps)

: M/s.E.Sampathkumar

C O M M O N O R D E R

These writ petitions have been filed, for a Mandamus, forbearing the respondents 1 and 2 from initiating any proceedings against the fifth respondent school from the academic year 2016-2017 onwards till the disposal of the suit in O.S.No.11 of 2014 on the file of the Learned District Munsiff, Harur.

2.However, when the matters were taken up for consideration, the learned counsel for the petitioner submitted that it would suffice, if a direction is given to the respondents 1 and 2 to consider the claim of the petitioner made in the legal notices dated 29.01.2016 and 09.02.2016 sent through their lawyer.

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

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents 1 and 2, to consider the claim of the petitioner made in the legal notices dated 29.01.2016 and 09.02.2016 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as all the other parties, within a period of six weeks from the date of receipt of a copy of this order. While doing so, the first and second respondents shall keep in mind the pendency of the proceedings in O.S.No.11 of 2014 on the file of the Learned District Munsif, Harur.

5.Accordingly, the writ petition stands disposed of. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar (CS-V)

//True Copy//

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Sub Assistant Registrar

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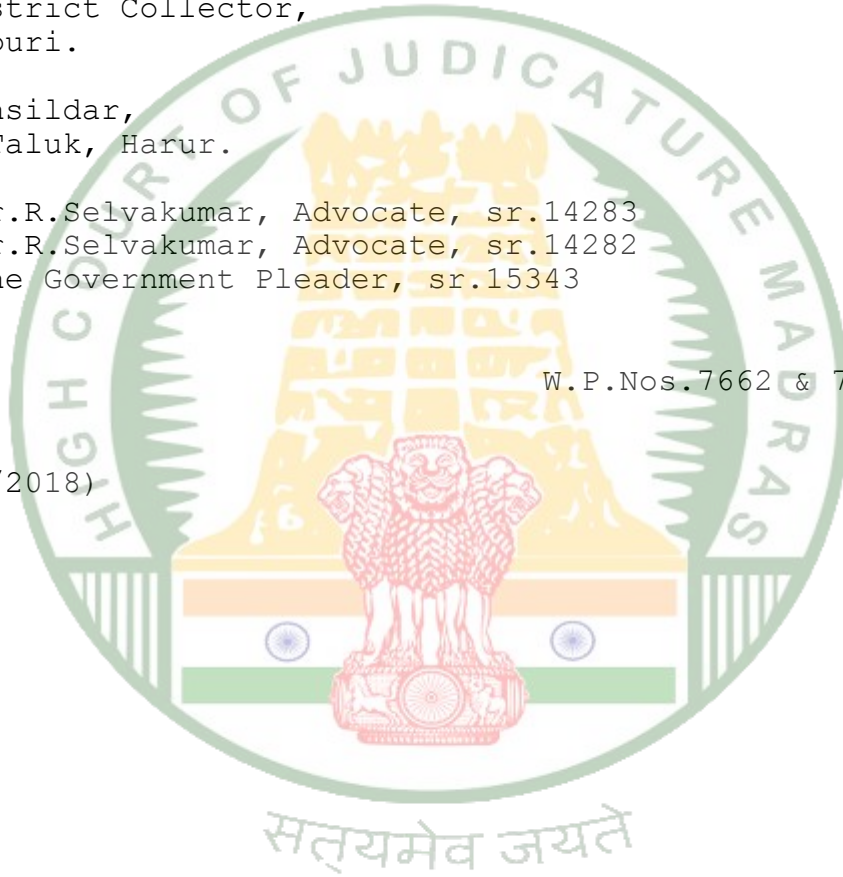
To

1. The Director of Matriculation Schools,
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(The Indian Matriculation Schools)
3rd Floor, District Collectorate,
Salem - 636 001.
3. The District Collector,
Dharmapuri.
4. The Tahsildar,
Harur Taluk, Harur.

+1cc to Mr.R.Selvakumar, Advocate, sr.14283
+1cc to Mr.R.Selvakumar, Advocate, sr.14282
+1cc to The Government Pleader, sr.15343

W.P.Nos.7662 & 7663 of 2016

SSD(CO)
RMP(22/03/2018)



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