



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

W.P(MD)No.6100 of 2018

Higher Secondary School up-gradation Committee,
Government High School,
Karisavayal Village - 614 723,
Pattukkottai Taluk,
Thanjavur District,
Rep. by its President,
K.M.Velayutham.

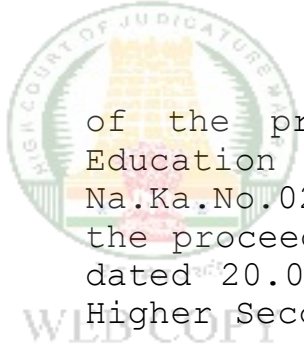
... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Fort St. George, Chennai - 9.
2. The Director,
School Education Department,
Chennai - 6.
3. The Chief Educational Officer,
Thanjavur District, Thanjavur.
4. The District Educational Officer,
Thanjavur District, Thanjavur.
5. The Headmaster,
Government High School,
Karisavayal Village,
Pattukkottai Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner sent to the fifth respondent, dated 05.03.2015 and to the second respondent and on the basis of the recommendation of the fifth respondent in the prescribed format sent to the second respondent in Na.Ka.No.5/2015, dated 15.04.2015 and 22.04.2015 and on the basis



of the proceedings of the Joint Director, Tamil Nadu School Education (Higher Secondary), Chennai - 6 in Na.Ka.No.026860/W4/E2/2017, dated 18.05.2017 and on the basis of the proceedings of the third respondent in Na.Ka.No.2808/Aa1/2016, dated 20.04.2017 for up-grading the fifth respondent's School as Higher Secondary School.

For Petitioner : Mr.M.R.S.Prabhu

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader.

ORDER

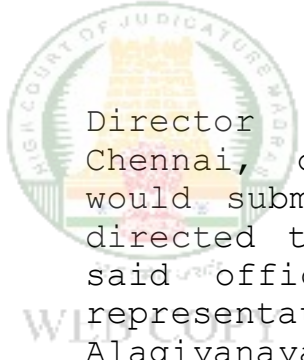
(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

By consent, the Writ Petition itself is taken up for final disposal.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader, accepts notice on behalf of the respondents.

3.The Writ Petition is filed as a 'Public Interest Litigation' by the President of the Higher Secondary School up-gradation Committee, Government High School, Karisavayal Village, Pattukkottai Taluk, Thanjavur District and according to him, a High School is in existence in the said Village for over 20 years and 700 students are studying in the said institution. The petitioner would further aver that one R.Muniyandi, Temple trustee of Karisavayal Village has donated 3 acres 45 cents on 31.12.1999 to the said School and a patta was also issued in the name of the third respondent and it is also averred by the petitioner that there are 252 students studying from standard 6th to 10th and out of them, 120 are boys and 132 are girls and the medium of instruction is both Tamil and English. The petitioner also expressed the grievance that there is only one Higher Secondary School available in Pallathur Village, which is 8 kms away from Karisavayal Village and there is one more Government Boys Higher Secondary School and one Girls Higher School is available at Peravoorani Town, which is 17 kms away and on account of the land and other facilities available, the petitioner submitted a representation for upgradation of Karisavayal High School as the Higher Secondary School and the District Educational Officer had also made a positive representation and necessary proposal has also been forwarded to the second respondent, but, however, the second respondent is yet to pass orders and therefore, the petitioner came forward to file this Writ Petition.

<https://hcservices.courts.gov.in/hcservices/>
4.The learned counsel appearing for the petitioner has drawn the attention of this Court to the proceedings of the Joint



Director of School Education (Higher Secondary) Department, Chennai, dated 18.05.2017 in Na.Ka.No.026860/LBLU4/E2/2017 and would submit that the Chief Educational Officer, Thanjavur was directed to take appropriate action and inform the same to the said official and nothing is moved and in this regard, a representation was also submitted by the President of Alagiyanayagipuram Panchayat, addressed to the second respondent and the local body has also passed a resolution to that effect on 09.03.2015 and despite all efforts have been taken, the second respondent is yet to pass orders and therefore, the petitioner is constrained to approach this Court by filing this Writ Petition.

5.This Court has considered the rival submissions and perused the materials placed on record.

6.This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the second respondent to act on the proposal/recommendation of the third respondent, namely the Chief Educational Officer, Thanjavur District, Thanjavur, in Na.Ka.No.026860/LBLU4/E2/2017, dated 18.05.2017, as to the upgradation of the Government High School, Karisavayal Village as the Government Higher Secondary School, Karisavayal Villlage, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7.The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Fort St. George, Chennai - 9.

2.The Director,
School Education Department,
Chennai - 6.

3.The Chief Educational Officer,
Thanjavur District, Thanjavur.



4. The District Educational Officer,
Thanjavur District, Thanjavur.

5. The Headmaster,
Government High School,
Karisavayal Village,
Pattukkottai Taluk,
Thanjavur District.

+ 1 cc TO Mr.M.R.S.Prabhu , Advocate in SR No. 57820

ps

AE/SKN RSK/SAR1/04.04.2018/4P/7C

W.P (MD) No.6100 of 2018
22.03.2018