



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2018

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESHW.P.(MD)No.7634 of 2018

Adarsh Vidyalaya Matriculation School,
Rep by its
Correspondent
Mr.Isaac Pakkiasamy

... Petitioner

Vs.

1.State Rep by:

Secretary to Government,
Higher Secondary School Education,
Fort St. George,
Chennai.

2.Director of Matriculation School,
College Road,
Chennai-600006.

3.Joint Director of Matriculation School,
College Road,
Chennai-600006.

4.Chief Educational Officer,
Tirunelveli District.

5.Inspector of Matriculation Schools,
Tirunelveli District.

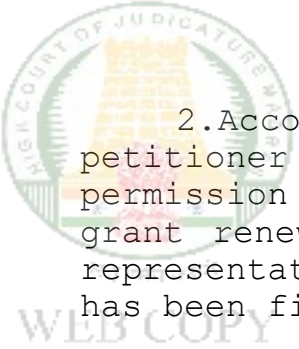
... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission for upgrading the petitioner school to XI and XII and grant renewal of recognition for a period of 3 years, by considering the petitioner's representation dated 13.03.2017 and 25.03.2018.

For Petitioner : Mr.Niranjana S.Kumar
For Respondents : Mr.V.Anand
Government Advocate

O R D E R

The limited prayer sought for in the present writ petition is for a direction to the respondents to consider the petitioner's representation.



2. According to the learned counsel for the petitioner, the petitioner had given a representation on 25.03.2018, seeking permission for upgrading the petitioner school to XI and XII and grant renewal of recognition for a period of 3 years. Since the representation has not been considered, the present writ petition has been filed.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In this background, there shall be a direction to the second respondent herein, to consider the representation of the petitioner, dated 25.03.2018, in accordance with the recommendation of the fifth respondent dated 20.03.2017 in Na.Ka.No.46/A1/2017. Such exercise shall be completed, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Higher Secondary School Education,
Fort St. George, Chennai.
2. The Director of Matriculation School,
College Road, Chennai-600006.
3. The Joint Director of Matriculation School,
College Road, Chennai-600006.
4. The Chief Educational Officer,
Tirunelveli District.
5. The Inspector of Matriculation Schools,
Tirunelveli District.

+1cc to M/S.Niranjana S.Kumar, Advocate SR.No. 62879

W.P. (MD) No. 7634 of 2018
23.04.2018

rmk