



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.05.2018

CORAM :
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

W.P. (MD) .No.11666 of 2018
and
W.M.P. (MD) .No.10618 of 2018

Ariyanayagipuram Hindu Nadar
Uravinmurai Committee
Uyar Thuvakkappalli Sangam (Reg.No.13/64),
Represented by its Secretary,
P.Arunagirisamy,
Ariyanayagipuram,
Kadayanallur Taluk,
Tirunelveli District.

...Petitioner

Vs.

1.The District Registrar,
O/o. The District Registrar,
Thenkasi,
Tirunelveli.

2.The District Educational Officer,
Tirunelveli,
Tirunelveli District.

3.The District Elementary Educational Officer,
Tirunelveli,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1 to approve the Form VII dated 11.05.2018 submitted by the petitioner society and further to direct the respondents No.2 and 3 to approve the School Committee as contained in the proposal dated 12.05.2018 within the time stipulated by this Court.

For Petitioner : Mr.S.Louis
For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

<https://hcservices.courts.gov.in/hcservices/>
Mr.N.Shanmugaselvam, learned Additional Government Pleader
takes notice for the respondents.



2. By consent, the writ petition itself is taken up for final hearing.

3. The petitioner has come up with the present writ petition seeking for issuance of a Writ of Mandamus, directing the first respondent to approve Form-VII, dated 11.05.2018, submitted by the petitioner society and further to direct the respondents 2 and 3 to approve the School Committee as contained in the proposal dated 12.05.2018, within a time limit to be fixed by this Court.

4. According to the petitioner, the election to the petitioner society was held on 05.04.2015 and till date, civil suits are pending relating to certain election disputes. Due to management disputes, the Hindu Nadar Uravinmurai Committee Higher Secondary School, Ariyanayagipuram, Kadayanallur Taluk, Tirunelveli District was brought under direct payment on 11.02.2014. The previous school committee was given the approval on 02.11.2015 and thereafter, the School Committee took over the Management of the School and later, the third respondent noticed that Form-VII submitted by the previous Management was kept pending under consideration by the District Registrar. The third respondent passed the order dated 14.01.2016, cancelling the approval given to the School Committee alleged to have been elected on 15.04.2015. However, challenging the cancellation of the approval to the School Committee, the then School Committee filed W.P.(MD) No.1671 of 2016 and obtained an order of interim injunction in their favour. Thereafter, the third respondent has passed a subsequent order, dated 31.08.2016, sustaining the order of approval granted to the School Committee on 02.11.2015. Thus, the School Committee continued to administer the School. Since the election took place on 05.04.2015 for a period of three years, the term of office bearers has ended on 04.04.2018. Thereafter, the general body meeting was convened on 02.05.2018 and the office-bearers were elected and the Executive Committee Meeting was also held on 10.05.2018 and consequently, Form-VII was submitted on 11.05.2018 to the first respondent with all documents. Accordingly, the proposal for approval of the newly elected School committee, dated 12.05.2018, is also submitted to the respondents 2 and 3 and the same are still pending.

5. Heard both sides.

6. In view of the above facts and circumstances, without expressing any opinion on the claim made by the petitioner, the first respondent is directed to consider the Form-VII, dated 11.05.2018, submitted by the petitioner Society and the respondents 2 and 3 are directed to consider the proposal dated 12.05.2018, submitted by the petitioner and pass appropriate orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order, after



affording an opportunity of personal hearing to the petitioner.

7.The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar

/True copy/

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Sub Assistant Registrar

To

1.The District Registrar,
O/o. The District Registrar,
Thenkasi,
Tirunelveli.

2.The District Educational Officer,
Tirunelveli,
Tirunelveli District.

3.The District Elementary Educational Officer,
Tirunelveli,
Tirunelveli District.

+1cc to Mr.S.LOUIS, Advocate, SR.No. 66456

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pnn/smn2

KK/SV MMS/SAR-1/31.05.2018/3P-5C