



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.15821 of 2018

Keren Matriculation School,
represented by its Managing Trustee
Joy Hilda

... Petitioner

vs.

1.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

2.The Chief Educational Officer,
Madurai District.

3.The Deputy Director of Town and Country Planning,
Madurai.

4.The Inspector of Matriculation Schools,
Madurai-2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents to grant No Objection Certificate for CBSE Affiliation and Recognition to run the school with classes L.K.G., to eighth standard for the academic year 2016-2017, 2017-2018 and 2018-2019 without insisting for plan approval from the fourth respondent on the basis of the petitioner's representation dated 28.05.2018 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.L.Victoria Gowri

For Respondents : Mr.J.Gunaseelan Muthiah

Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. There is no provision in the rules that the school seeking for approval should possess a building plan approval from the Town and Country Planning authorities and this decision has been ratified by the order of the Division Bench of this Court in The Director of Matriculation Schools Vs. Kaviyan School reported in 2015-5-

L.W.101, as well as order of this Court in W.P.No.15797 of 2017 dated 04.06.2018. As such the respondent may not be justified in seeking for building plan approval from the DTCP as one of the pre condition for granting approval.

4. It is submitted by the learned counsel for the petitioner that insofar as the other objections raised by the respondents herein, the same has been complied with and the respondents have also been intimated in this regard.

5. In the light of the above observations, the second respondent is directed to consider the petitioner's representation dated 28.05.2018, seeking for No Objection Certificate for CBSE affiliation within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

1.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

2.The Chief Educational Officer,
Madurai District.

3.The Deputy Director of Town and Country Planning,
Madurai.

4.The Inspector of Matriculation Schools,
Madurai-2.

+1cc to M/S.L.Victoria Gowri, Advocate SR.No. 74194
+1cc to Special Government Pleader, SR.No. 74363

W.P. (MD) No.15821 of 2018

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pnn

JM/SKN RSK/SAR 2/31.07.2018/2P/7C