



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15898 of 2018

and

W.M.P. (MD)14230 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 Director of Matriculation Schools,
DPI Campus, College Road,
Chennai-600 006.
3. The Chief Educational Officer,
Madurai District.
4. The Deputy Director of Town and Country Planning,
Madurai.
5. 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 Certiorarified Mandamus to call for the records on the file of the fifth respondent pertaining to the impugned proceedings in அ.தி.மு.எண்.419/அ/2017 dated 08.05.2017 and to quash the same and consequently direct the respondents to grant permission to run the school with classes L.K.G. to 8th standard for the academic year 2016-2017, 2017-2018 and 2018-2019 without insisting the plan approval from the fourth respondent, within a time frame that may be stipulated by this Court.

For Petitioner : M/s.L.Victoria Gowri

For Respondents : Mr.V.Anand

Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, 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 third respondent is directed to consider the petitioner's representation dated 08.05.2017, seeking for grant of permission to run the school with classes L.K.G. to 8th standard for the academic year 2016-2017, 2017-2018 and 2018-2019 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

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

2. The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai-600 006.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The Chief Educational Officer,



Madurai District.

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

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

+ 1 cc TO M/s.L.Victoria Gowri , Advocate in SR No. 74196

pnn

AE/RP/SAR4/27.07.2018/3P/7C

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20.07.2018