



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.20837 of 2017

and

W.M.P. (MD) .No.10545 of 2018

D.Saravanan

... Petitioner

vs.

1. Kendriya Vidyalaya Sangathan,
rep. by the Commissioner,
No.18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110 016.

2. The District Collector,
Collectorate,
Tirunelveli District.

3. The Kendriya Vidyalaya Higher Secondary School,
rep. by the Principal,
No.1, Kattupillayar Kovil,
P.T Rajan Road, Narimedu,
Madurai-625 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the impugned Guidelines insofar as Part-A General Guidelines 3(A)5 Note:Preference in Admission to wards will be based on the number of transfers of the parents in the last 7 years on the file of the respondent No.1 dated Nil and consequential impugned order in F.No.KV-MDU/1794-D-3/2017-18, dated 27.09.2017 on the file of the respondent No.3 and quash the same as illegal and consequently for a direction, directing the respondents to earmark seats to the children of Ex-Service Men by considering the transfers of the Ex-Service Man prior to their retirement.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.E.T.Rajendran for RR-1 & 3
Mrs.J.Padmavathi Devi
Special Govt. Pleader for R-2

**ORDER**

Mrs.J.Padmavathi Devi, learned Special Government Pleader, takes notice on behalf of the second respondent.

WEB COPY

2. Even though the miscellaneous petition has been listed today for getting a direction, by consent of both parties, the writ petition itself is taken up for final disposal.

3. Even though a larger prayer has been made in the writ petition, at the time of hearing, the learned counsel for the petitioner submits that it would suffice, if a direction is issued to the respondent school for considering the admission of the petitioner's son.

4. The petitioner seeks admission for his ward for the II Standard in the respondent School.

5. The respondent school filed a counter stating that students admitted in the I Standard were all promoted and there is no vacancy in the II Standard to accommodate the petitioner's child.

6. The learned counsel for the petitioner would submit that the petitioner is an Ex-Service man and there is a priority in education for the children of the Ex-Service men. He would also further submit that if a vacancy arises in future for the III Standard admission, his case may also be considered by the respondent school for admission in the ensuing year.

7. Heard the learned counsel on either side.

8. Considering the submissions made by both parties, the writ petition is disposed of with an observation that the respondent school may consider the admission of the petitioner's son at third Standard in the ensuing year, if he is otherwise eligible and if any vacancy arises in third standard, in accordance with the rules and regulations existing at the time of admission. It is made clear that the observations made by this Court will not give any absolute right for the petitioner for admission in favour of him. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar



To:

The District Collector,
Collectorate,
Tirunelveli District.

+2cc to Mr.T.Lajapathi Roy, Advocate Sr.No.68804,68814
+1cc to Spl.Government Pleader Sr.No.68854
+1cc to Mr.E.T.Rajendran, Advocate Sr.No.68669

VS

MK/VB/SB/SAR4/29.06.2018/3P/6C

W.P. (MD) No.20837 of 2017
and
W.M.P. (MD) .No.10545 of 2018
19.06.2018