

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P. 21755 of 2008

and

M.P. 2 of 2008

Sri Shanthi Vijai Girls Higher
Secondary School,
rep. by its Correspondent
S.Motilal Kataria,
Ootacamund,
The Nilgiris District.Petitioner

Vs

1. The Director of School Education,
College Road,
Chennai-6.
2. The Chief Educational Officer,
Ootacamund,
The Nilgiris District.
3. The District Educational Officer,
Coonoor,
The Nilgiris. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of 2nd respondent in Na.Ka.No.2093/A5/2008, dated 22.05.2008 and quash the same and consequently direct the respondents to permit the petitioner to convert the petitioner's Girls High School as Co-educational school.

For Petitioner : Ms.P.Mahalakshmi

For Respondents : Mr.A.Rajaperumal,
Addl. Govt. Pleader

O R D E R

This Writ Petition has been filed challenging the impugned order passed by the 2nd respondent and quash the same and consequently, directing the respondents to permit the petitioner to convert the petitioner's Girls High School as co-educational school.

2. The case of the petitioner is as follows :-

The petitioner school is one of the schools established and it is being administered by Sri Shanthi Vijai Educational Trust Jain Schools Association, Ootacamund, The Nilgiris District. The said educational trust has established five schools and all the five schools are recognised and aided by the Government. The object of the Trust is to cater the educational need of the people belonging to the Jain Community in particular though admission to the schools is not denied to other community. The further case of the petitioner is that the petitioner's schools were functioning smoothly with appropriate intake of students. While being so, the petitioner has made an application to convert the Girls school as Co-educational school. The said application was rejected on the ground that no toilet facilities provided to the students in all the three schools and no sufficient playground was available. On the above said reasons, they have rejected the request. Against which, the present Writ Petition has been filed by the petitioner.

3. Ms.P.Mahalakshmi, learned counsel appearing for the petitioner would submit that the Writ Petition was filed in the year 2008 and after lapse of 10 years, the petitioner has improved the infrastructure facilities and subsequently, the students capacity is also varying. So, in view of the above, the petitioner may be permitted to file a fresh application with fresh materials and if any representation is filed, the school authorities may be directed to pass appropriate orders in accordance with law.

4. The learned Addl. Government Pleader appearing for the respondents has conceded the request made by the learned counsel appearing for the petitioner.

5. In view of the above, I am not inclined to set aside impugned order passed by the authority. However, the liberty is

granted to the petitioner to make fresh application with fresh materials and if any application is filed, on considering the same, the Educational authorities are directed to pass appropriate orders in accordance with law. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Director of School Education,
College Road,
Chennai-6.
2. The Chief Educational Officer,
Ootacamund,
The Nilgiris District.
3. The District Educational Officer,
Coonoor,
The Nilgiris.

+1cc to Mr.P.Mahalakshmi, Advocate Sr.49389
+1cc to the Government Pleader Sr.50187

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srg 22/07/2019