

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.8444 of 2018
and W.M.P.Nos.10391 and 10392 of 2018

Kodungaiyur Muthamizh Nagar
Velankanni School Students and
Parents Association,
Rep by its Secretary,
S.F.Kaja Mohamed,
S/o.Farook,
No.4, Lakshmi Amman Nagar,
Selavoyal, Kodungaiyur,
Chennai 600 118 ... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep by its Secretary,
School Education Department,
Fort St.George,
Chennai 600 009.
2. The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai 600 006.
3. The Chief Education Officer,
Panagal Building, 1st Floor,
Near Kalaingar Pon Vila Valaivu,
Saidapet, Chennai 600 015.
4. The Inspector of Matriculation Schools,
Dr.Ambedkar Government Higher Secondary School,
Egmore, Chennai 600 008.
5. The Chairman,
Private Schools Fees Determination Committee,
DPI Campus, College Road, Chennai 600 006.
6. The Correspondent,
Velankanni Matriculation and Higher Secondary School,
R-10, 1st Block, Muthamizh Nagar, Kodungaiyur,
Chennai 600 118.

7. The Principal,
Velankanni Matriculation and Higher Secondary School,
R-10, 1st Block, Muthamizh Nagar, Kodungaiyur,
Chennai 600 118. .. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd, 3rd & 4th respondents to take appropriate action against the 6th and 7th respondents forthwith petitioner complaint dated 05.03.2018.

For Petitioner : Mr.R.Subramaniam
for Mr.T.Padmanabhan

For RR1 and 5 : Ms.P.Kavitha,
Government Advocate (Education)

For RR6 and 7 : Mr.P.Wilson, Senior Counsel
for Mr.Richardson Wilson.

O R D E R

This Writ Petition has been filed seeking a direction to the respondents 2 to 4 to take appropriate action against the respondents 6 and 7 forthwith on the basis of the petitioner's complaint dated 05.03.2018.

2. It is a serious case where Velankanni Matriculation and Higher Secondary School was originally a Matriculation School, which was subsequently transformed to CBSE School. Admittedly, CBSE affiliation was given to the said School very recently, but they had been collecting fees for CBSE syllabus in the past years. Though it is admitted by the School that for the past few years, the School was in transition period and the affiliation was granted, there seems to have been several incidents which happened between the parents and the School authorities. Though it is denied, there seems to be some Resolution and Memorandum of Understanding executed. In the said circumstances, the Students and Parents Association has approached this Court seeking a mandamus directing the respondents 2 to 4 to take appropriate action against the Correspondent and the Principal, who are the respondents 6 and 7 herein, based on their complaint dated 05.03.2018 and pass appropriate orders.

3. In fact, when the matter was heard, the parents and also the Senior Principal of the School were personally present before this Court. It is stated that the children of the parents, who are the members of the Students and Parents

Association, are still studying in the same School. Though there are discrepancies in the factual aspects laid by both sides, this Court is not inclined to go into the same.

4. Heard both sides.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents 2 to 4 to consider the petitioner's complaint dated 05.03.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, the respondents 6 and 7 and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

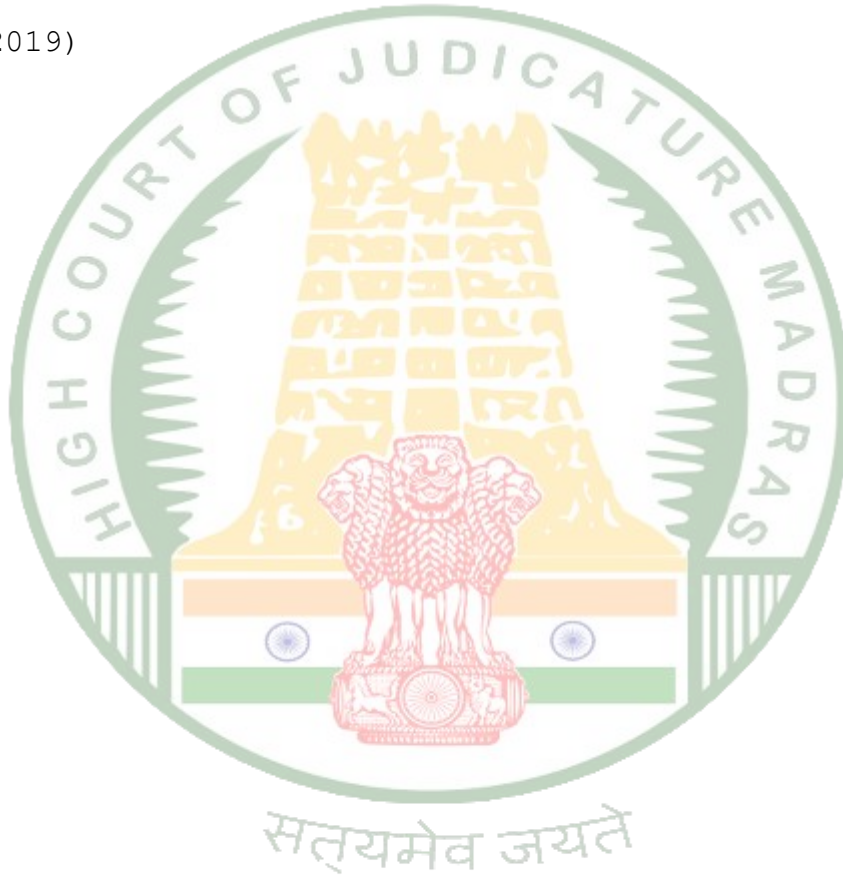
srn
To

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NA (CO)
SP (08/03/2019)



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