

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2019

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THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.4042 of 2019
and W.M.P.No.4489 of 2019

B.G.Saravanan
Correspondent,

Jai Hind International Public School,
Guruvalapper Koil, Udayarpalayam Taluk,
Ariyalur District. .. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Secretariat, Chennai - 9.
2. The Director,
School Education Department,
College Road, DPI Campus,
Chennai - 6.
3. The Chief Educational Officer,
Ariyalur District, Ariyalur.
4. The District Educational Officer,
Udayarpalayam, Ariyalur District. .. Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records of the order of the 4th respondent dated 04.02.2019 in Na.Ka.Enn.0279/A1/2019 and quash the same as illegal and further direct the respondents to give approval to run the petitioner's school namely Jai Hindh International School, in Guruvalappar Koil Village, Jayankondam, Ariyalur District.

For Petitioner : Ms.R.Poornima

For Respondents : Ms.P.Kavitha,
Government Advocate

O R D E R

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the entire records of the order of the 4th respondent dated 04.02.2019 in Na.Ka.Enn.0279/ A1/2019 and quash the same as illegal and further direct the respondents to give approval to run the petitioner's school namely Jai Hindh International School, in Guruvalappur Koil Village, Jayankondam, Ariyalur District.

2. The petitioner claims to be an International School situated at Ariyalur District. The petitioner has given an application for getting permission for school building to the authorities concerned in the year 2015 and it is stated that the Assistant Director of Town Panchayat, Perambalur, has granted permission for the school building. It is also stated that the school has got classes from L.K.G to 6th standard and having about 85 students. While so, the 4th respondent vide proceedings in Na.Ka.Enn.0279/ A1/2019 dated 04.02.2019 issued impugned order directing the school to close down on or before 06.02.2019 A.N. and failure of closure of the school would attract a fine of Rs.1,00,000/-, and for each day running of the school, the petitioner has to pay a sum of Rs.10,000/-.

3. Admittedly, the school has got no approval from the State of Tamil Nadu. When the matter is taken up for hearing, the petitioner has also submitted additional typed set of papers, wherein, proceedings of the Chief Educational Officer, dated 08.06.2018 has been attached, as per which, there were certain defects, which were complied with by the petitioner. In respect of the same, the petitioner submitted a compliance report dated 05.07.2018 before the 4th respondent and the same is yet to be considered.

4. As the petitioner has filed the compliance report, the 4th respondent is directed to consider the same and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
School Education Department,
Secretariat, Chennai - 9.
2. The Director,
School Education Department,
College Road, DPI Campus,
Chennai - 6.
3. The Chief Educational Officer,
Ariyalur District, Ariyalur.
4. The District Educational Officer,
Udayarpalayam, Ariyalur District.

+1cc to Mr.R.Poornima, Advocate Sr.37788
+1cc to the Government Pleader Sr.39109

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srg 6/5/2019