

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.5134 of 2019

Sri Vidyaa Mandhir Matric School,
Nachipatty,
Vennandur 637 505,
Namakkal District,
Rep by its Correspondent,
M.R.S.Sadhassivam,
S/o.M.R.Sengoda Mudaliar

.. Petitioner

Vs.

The Director of Matriculation Schools,
D.P.I.Campus, College Road,
Chennai 600 006

.. Respondent

* * *

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to pass orders for upgradation of petitioner School with Higher Secondary Sections based on the proposal submitted by the petitioner School dated 15.10.2018, within a time frame to be fixed by this Court.

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For Petitioner: Mr.G.Sankaran

For Respondent: Ms.P.Kavitha
Government Advocate (Education)

O R D E R

The prayer of the petitioner is to direct the respondent to pass orders for upgradation of petitioner-School with Higher Secondary Sections, based on the proposal submitted by the petitioner-School dated 15.10.2018, within a time frame that may be fixed by this Court.

2. It is the case of the petitioner that the petitioner-School was established by Swamy Vivekananda Educational Trust in the year 1995, imparting education to rural poor and downtrodden. The said School was granted with formal permission

on 13.02.1997 as per the proceedings of the Director of School Education for running the classes from I to VII Standard. Subsequently, temporary recognition was granted to the said School on 13.02.1997. Thereafter, on 24.12.2018, the Director of School Education, vide proceedings in Na.Ka.No.12404/E2/2018, granted recognition to the said School to run classes from L.K.G to 10th Standard and it has been periodically extended under the provisions of the Matriculation Code. In order to provide complete school education within their School campus to the children in and around the village, the School Management decided to upgrade the existing Matriculation High School to one of Higher Secondary School from the academic year 2019-2020. Further, the petitioner-School had also satisfied the requisite conditions as stipulated in G.O.Ms.No.175, School Education Department, dated 20.07.2017 relating to minimum land area. Hence, the petitioner-School made a proposal to the respondent on 15.10.2018 along with all the particulars with regard to the infrastructural and instructional facilities available in the School. But, there was inaction on the part of the respondent in not considering the said proposal for upgradation of the School upto 12th Std, and hence, the petitioner has approached this Court by way of filing the present Writ Petition for the above said prayer.

3. Heard Mr.G.Sankaran, learned counsel for the petitioner and Ms.P.Kavitha, learned Government Advocate (Edn) for the respondent and perused the materials available on record.

4. 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 to consider the case of the petitioner, based on the proposal dated 15.10.2018, as per the Rules and Regulations for upgradation of the School and pass reasoned orders, on merits and in accordance with law, after issuing notice to the petitioner 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.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

srn

To

The Director of Matriculation Schools,
D.P.I.Campus, College Road,
Chennai 600 006.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.16892
+1cc to the Government Pleader, S.R.No.16983

W.P.No.5134 of 2019

rrs 05/03/2019



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