

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2019

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THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.Nos.7803 and 7804 of 2019

Veeta Varsity International School,
Rep. by its Correspondent,
R.Sangeetha,
Kiloy - Manalmedu,
Mayiladuthuri Taluk,
Nagapattinam District.

.. Petitioner
in W.P.No.7803 of 2019

Shri. Natarajan Memorial Public School,
Rep. by its Correspondent,
S.S.N.Rajkamal,
Karaimedu, Seekaali,
Nagapattinam District.

.. Petitioner
in W.P.No.7804 of 2019

Vs.

The Director of School Education,
DPI Compound,
College Road, Chennai - 600 006.

.. Respondent
in both W.Ps.

PRAYER in both W.Ps.: These Writ Petitions have been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondent to process the application dated 30.05.2018 of the petitioners to be disposed of in accordance with law within a stipulated time that may be fixed by this Court for issuance of NOC for the purpose of starting CBSE School taking into consideration the compliance communication of the petitioners dated 25.02.2019 and 28.02.2019, respectively.

For Petitioner
in both W.Ps. : M/s.E.Vijay Anand

For Respondent
in both W.Ps. : Mrs.P.Kavitha
Government Advocate (Edu.)

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C O M M O N O R D E R

These Writ Petitions have been filed for the issuance of a Writ of Mandamus to direct the respondent to process the applications dated 30.05.2018 of the petitioners and dispose of them in accordance with law within a stipulated time that may be fixed by this Court for issuance of NOCs for the purpose of starting CBSE Schools taking into consideration the compliance communications of the petitioners dated 25.02.2019 and 28.02.2019, respectively.

2. The learned counsel appearing for the petitioners submitted that they made applications dated 30.05.2018 seeking for issuance of NOCs for the purpose of starting CBSE Schools and the same were kept pending as the respondent insisted them to produce building plan approval from the Directorate of Town and Country Planning (DTCP). He further submitted that the petitioners earlier filed the Writ Petitions in W.P.No.15755 and 15756 of 2018, respectively, which were disposed of with a direction to the respondent to process the application without insisting upon the approval from the Directorate of Town and Country Planning.

3. The learned counsel appearing for the petitioners further submitted that on receipt of the aforesaid order of this Court, the respondent had pointed out certain deficiencies and the same had been complied with and resubmitted the applications by the petitioners vide communication dated 25.02.2019 and 28.02.2019, respectively, but, their applications are not disposed of by the respondent. Hence, the petitioners are before this Court.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Edu.) appearing for the respondent.

5. Originally, the applications of the petitioners were rejected by the respondent for non-compliance of certain norms. However, it is stated that the petitioners have complied with the norms and sent their representations dated 25.02.2019 and 28.02.2019, respectively.

6. Considering the facts and circumstances of the cases and the submissions made on either side, this Court, without expressing any opinion on the merits of the representations, directs the respondent to consider the petitioners'

representation dated 25.02.2019 and 28.02.2019, respectively, and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioners and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above directions, these Writ Petitions are disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

The Director of School Education,
DPI Compound,
College Road,
Chennai - 600 006.

+2 ccs to Thiru.E.Vijay Anand, Advocate, S.R.No.25473, 25474

+1 cc to the Government Pleader, S.R.No.26799

W.P.Nos.7803 and 7804 of 2019

MR(CO)
SSM(03/05/2019).

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