

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14541 of 2018
and
W.M.P.No.17162 of 2018

P.Balasubramanian

.. Petitioner

Vs.

1.The Principal Secretary to Government of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.

3.The Joint Director of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.

4.The Chief Education Officer,
Thiruvannamalai District,
Thiruvannamalai.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records ending with the Proceedings in Na.Ka.No.1714/B4/2010 dated 28.05.2018 of the fourth respondent and quash the same and direct the respondents to consider the petitioner's application for recognition pending with the fourth respondent.

For Petitioner : Mr.S.D.S.Phillip

For Respondents : Mr.K.Karthikeyan
Government Advocate (Education)

O R D E R

This writ petition has been filed challenging the order dated 28.05.2018 passed in Na.Ka.No.1714/B4/2010 by the Chief Educational Officer, Thiruvannamalai and to direct the respondents to consider the petitioner's application for recognition pending with the fourth respondent.

2. The said order is a closure order of the petitioner's school as such the school is not run in compliance of the norms prescribed.

3. Heard the learned counsel appearing on both sides.

4. When the matter is taken up for hearing, the learned counsel appearing for the respondents pointed out that against the said impugned order already an appeal was filed before the respondents 1 to 3 on 31.05.2018 and the same is kept pending. It is stated that there was an interim order obtained from this Court, hence, the appeal cannot be taken up.

5. As the petitioner has already invoked alternate remedy available, the third respondent, before whom the appeal is pending is directed to dispose of the same 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 four weeks from the date of receipt of a copy of this order. The petitioner is directed to produce relevant documents at the time of hearing.

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

7. Post 'For Compliance' on 18.03.2019.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

rsi

To

1.The Principal Secretary to Government of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.

3.The Joint Director of Elementary Education,
DPI Complex, College Road,
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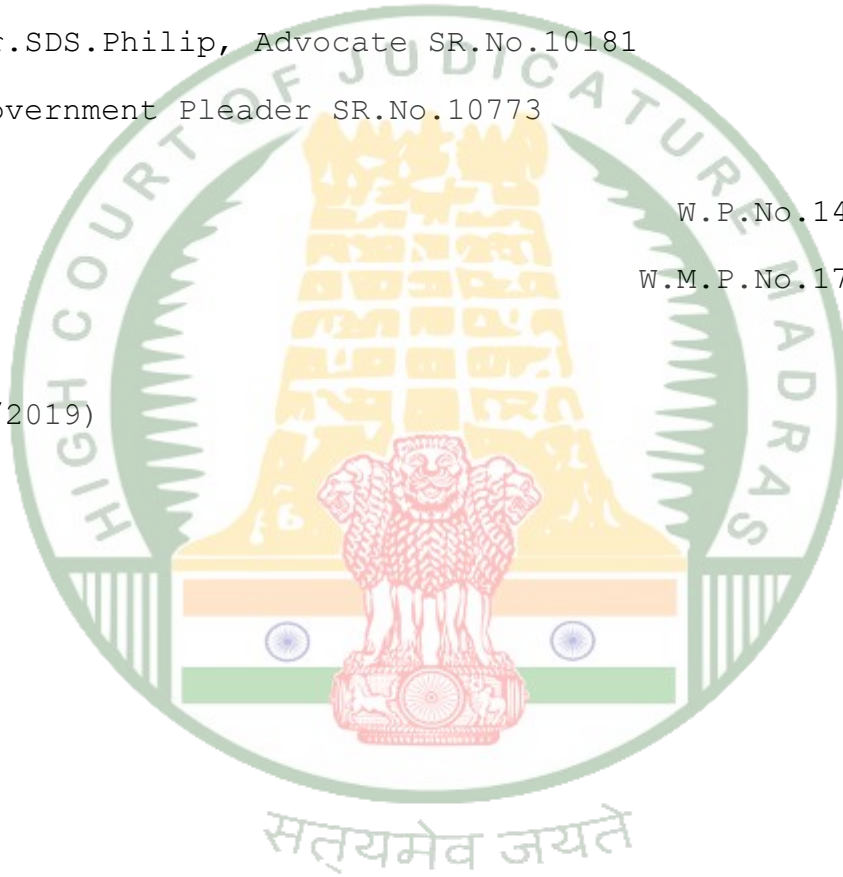
4.The Chief Education Officer,
Thiruvannamalai District,
Thiruvannamalai.

+2cc to Mr.SDS.Philip, Advocate SR.No.10181

+1cc to Government Pleader SR.No.10773

W.P.No.14541 of 2018
and
W.M.P.No.17162 of 2018

GMV (15/02/2019)



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