

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No. 20976 of 2019

Saraswathi Arivalayam High School
Represented by its Correspondent,
P.Arivoli
Avatti X Road, Kallur Village,
Ma. Pudaiyur (Post)
Thittagudi Taluk,
Cuddalore (District) - 606108.

... Petitioner

.Vs.

1. The Director of School Education,
College Road,
Nungambakkam,
Chennai - 600006.
2. The Joint Director of School
Education (Higher Secondary Education),
College Road,
Nungambakkam,
Chennai - 600006.
3. The Chief Educational Officer,
Cuddalore District.
4. The District Educational Officer,
Vridhachalam,
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the third respondent herein to grant continuous approval for Class 6 to 10 to the petitioner Institution for the period commencing from 22.02.2019 to 31.05.2019 without any further delay.

For Petitioner : Mr.T.Chandrasekaran

For Respondents: Ms.V.Annalakshmi
Government Advocate

O R D E R

The case of the petitioner is that the petitioner Institution was granted continuous approval for class VI to X for the period commencing from 01.06.2018 to 31.05.2019. However, citing G.O.Ms.No.167 (School Department) dated 07.09.2018, the approval was restricted from 01.06.2018 to 21.02.2019, which is in middle of the Academic Year.

2. The contention of the petitioner is that the said G.O. is applicable only for building, which has obtained the approval from the competent authority after 01.11.2011, whereas, the petitioner was approved on 08.02.2010. Therefore, the said G.O. is not applicable to their institute.

3. Further, the learned counsel appearing for the petitioner would submitted that the said G.O. itself was quashed by the Hon'ble High Court in W.P.No.18539 of 2018 etc., and the government has granted exemption to all Institutions from the effect of the G.O. for the Academic Year 2019 to 2020. While so, the application of the petitioner for grant of continuous approval for the Class VI to X for the period 22.02.2010 to 31.05.2020 is pending with the third respondent and till date no order has been passed. Hence, this Writ of Mandamus is sought for.

4. The learned Government Advocate appearing for the respondents would submit that the government has passed G.O.Ms.No.79 dated 06.05.2019, wherein, the requirement of building planned approval for the Educational Institute is exempted up to 31.05.2020 and therefore, on the basis of the said G.O., the representation of the petitioner dated 29.05.2019 will be considered and proper orders will be passed.

5. Recording the submissions of the learned Government Advocate, the Writ Petition is disposed of, directing the respondents to consider the representation of the petitioner herein dated 29.05.2019 and grant continuous approval for Class VI to X for the period commencing from 22.02.2019 to 31.5.2020, within a period of four weeks form the date of receipt of a copy of this order. No costs.
sni

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

To

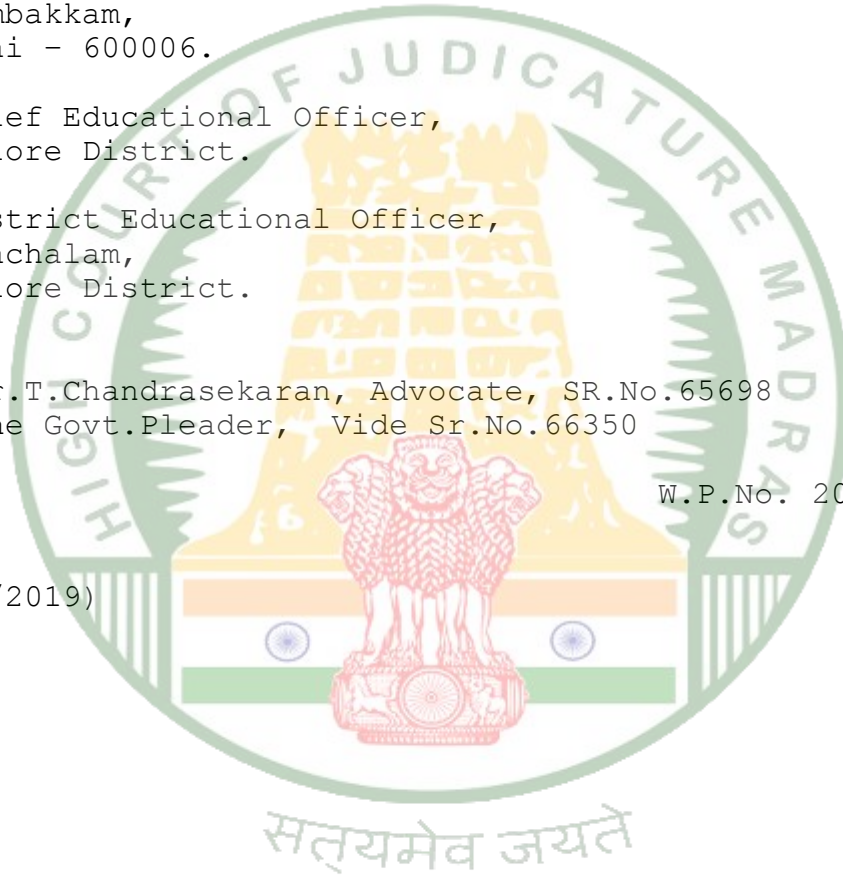
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+1cc to Mr.T.Chandrasekaran, Advocate, SR.No.65698

+1cc to the Govt.Pleader, Vide Sr.No.66350

W.P.No. 20976 of 2019

Kak(18/09/2019)



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