

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.09.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.28001 of 2019

H.Chandran

.. Petitioner

/versus/

1.The Deputy General Manager,
Tamil Nadu Sports Development Authority,
116-A, Periyar EVR High Road,
Nehru Park,
Chennai 600 084.

2.The District Sports Officer,
Chief Educational office,
Sivagangai,
Sivagangai District 630 562.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to consider and pass orders on the representation of the petitioner dated 29.07.2019 in accordance with law within a time frame fixed by this Hon'ble Court.

For Petitioner :Mr.V.Rajesh

For Respondents :Mr.N.Inbanathan, AGP

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage.

2.Heard Mr.V.Rajesh, learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Additional Government Pleader, who takes notice on behalf of respondents 1 and 2.

3. The prayer in the writ petition is to issue a Writ of Mandamus directing the 1st respondent herein to consider and pass orders on the representation of the petitioner dated 29.07.2019 in accordance with law within a time frame fixed by this Court.

4.The case of the petitioner is that his grandson Vishal Sivaraman, who was admitted in the Sports Hostel at Sivagangai was subjected to harassment and abuse at the hands of the Head Master of the School and therefore, he was forced to withdraw from attending the classes and now, admitted in Kovai Vidya Matriculation School, Avinashi, Coimbatore.

5.The contention of the petitioner is that since his grandson is very much interested in sports, he wants admission in the Sports Hostel run by the first respondent, so that he can have better coaching and training. Though he was accommodated in Sivagangai Sports Hostel and pursuing his 8th standard at Raja Higher Secondary School, Sivagangai, now due to shifted the School to Avinashi, he has made a representation to the first respondent to provide his grandson Hostel accommodation in any one of the Sports Hostel in the State. Hence, the writ petition is filed to direct the first respondent to consider the representation of the petitioner dated 29.07.2019.

6. Based on the facts stated in the affidavit and the representation of the petitioner dated 29.07.2019, this Court is unable to find any reason to entertain the petition, since the petitioner has no right or the first respondent has statutory duty to consider the request of the petitioner. The Court cannot issue Mandamus, when there is no right vested upon the petitioner herein to seek admission in sports hostel after voluntarily withdrawing the admission.

7. Hence, this writ petition is dismissed. The dismissal of the writ petition shall not be a bar for the first respondent to consider the request of the petitioner dated 29.07.2019 on its own merits. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

1.The Deputy General Manager,
Tamil Nadu Sports Development Authority,
116-A, Periyar EVR High Road,
Nehru Park,
Chennai 600 084.

2.The District Sports Officer,
Chief Educational office,
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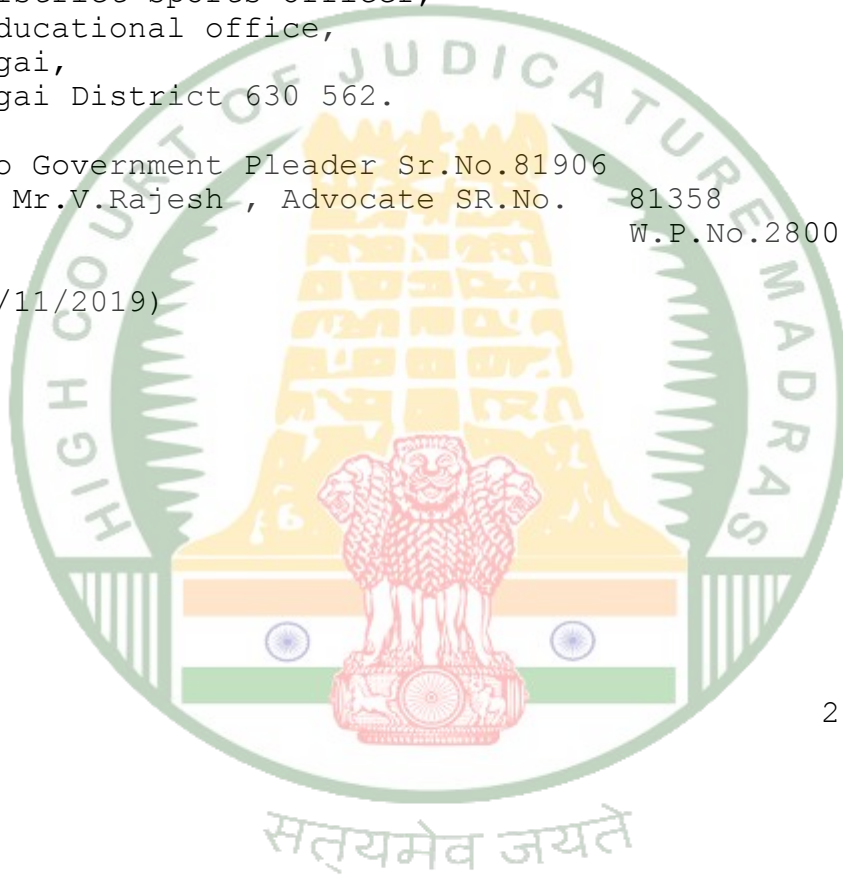
+1 cc to Government Pleader Sr.No.81906

+1cc to Mr.V.Rajesh , Advocate SR.No. 81358

W.P.No.28001 of 2019

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A.SK(05/11/2019)



23.09.2019

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