

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.30359 of 2019

and W.M.P.No.30346 of 2019

VKR Balakrishanan

.. Petitioner

/versus/

- 1.The Chief Educational Officer,
Kanchipuram & District.
- 2.The District Educational Officer,
Kanchipuram & District.
- 3.Assistant Elementary Educational Officer,
Kanchipuram & District.
- 4.The Municipal Commissioner,
Kanchipuram Municipality,
Kanchipuram & District.
- 5.The Municipal Health Officer,
Kanchipuram Municipality,
Kanchipuram & District.
- 6.The District Collector,
Collectorate,
Kanchipuram & District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant six months' time to the petitioner to enable the petitioner to complete application and recognition process and to continue the NCERT (National Council of Educational Research and Training) education activities till the final order is passed on recognition application by the respondents.

For petitioner : No appearance
For Respondents : Mrs.V.Annalakshmi, GA for R1 to R3
Mr.B.Rajesh, GA for R4 & R5
Mr.S.N.Parthasarathy, GA for R6

O R D E R

This writ petition is filed by one VKR.Balakrishnan as party in person seeking permission to run the school without recognition for a period of six months, so that to enable him to complete the necessary process for getting affiliation.

2. From the counter filed by the 4th respondent, this Court finds that without basic amenities in a shed, the petitioner has started the school in the name of "Sri Balaji International CBSE & Secondary School", the school is running under the Iron Roof shed with 18 students. On inspection by the Municipal authorities under the supervision of 5th respondent the team found that in the backyard of Iron Shed, the students are studying. There is a cow shed, old used tyres, plastic barrels, empty bottles with stagnated water causing health hazards. It is further stated in the counter that the petitioner without having the minimum basic requirements had started the Elementary School and has ventured to admit students in the name of "Sri Balaji International CBSE & Secondary School". Without CBSE nor the State Government approval, no person can run the educational institution.

3. Considering the above counter filed by the 4th respondent and the submissions made by the learned Government Advocate (Education) appearing for the 5th respondent, this Court finds that the petitioner herein has abused the process of law, filed this writ petition seeking Mandamus without any basic amenities available in his premises. It is further brought to the notice of this Court by the learned Government Advocate that on 10.10.2019, the petitioner himself on his own hand has given a letter to the Chief Educational Officer that he has closed the school and vacate the place. Probably that is the reason why the petitioner in person not present today. Having found that the petitioner has no locus to maintain the prayer sought in this writ petition. Hence, this Writ Petition stands dismissed. Consequently connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpl

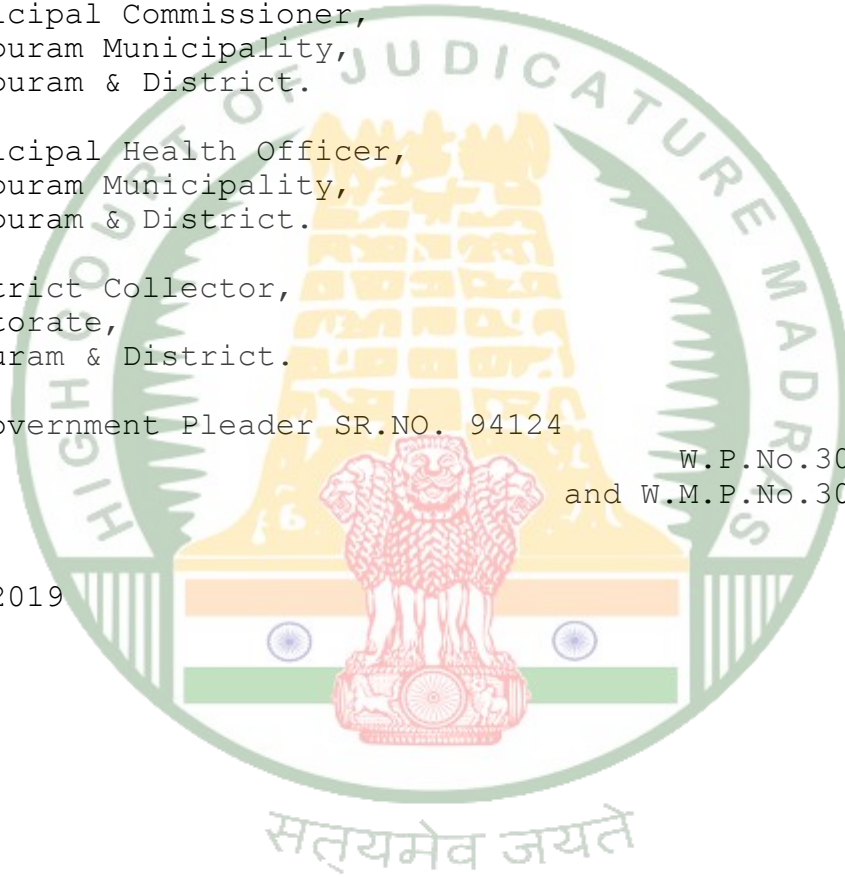
To

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- 6.The District Collector,
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Kanchipuram & District.

+1cc to Government Pleader SR.NO. 94124

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nr 12/12/2019



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