



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.A.(MD)No.914 of 2019
and
C.M.P.(MD)No.8279 of 2019

- 1.The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.
- 2.The District Elementary Educational Officer,
Thoothukudi,
Thoothukudi District. ... Appellants

Vs.

Kamaraj Vidyalaya Nursery and Primary School,
Represented by its Correspondent,
Mrs.Deivarathi,
Sakthi Vinayagar Kovil Street,
Kumaragiri Pudukottai,
Thoothukudi District. ...Respondent

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, to set aside the order passed in W.P.(MD)No.14043 of 2018 and W.M.P.(MD)No.12733 of 2018 dated 04.07.2018 on the file of this Court and allow the appeal.

Prayer in WP(MD). 14043/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings in Na.Ka.No.3301/A4/2017 dated 23.05.2018 issued by the 1st respondent and quash the same and consequently direct the respondents to grant permission / recognition to the petitioner school namely Kamaraj Vidyalaya Nursery & Primary School by considering the application dated 01.06.2016 which resubmitted on 14.05.2018 by the within the time limit fixed by this Honble Court.

Prayer in WMP(MD). 12733/ 2018 :

To grant an order of interim direction directing the respondents herein in to grant temporary permission / recognition to

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the petitioner school namely Kamaraj Vidyalaya Nursery & Primary School, pending disposal of the above WP.

For Appellants

: Mr.A.K.Baskara Pandian
Special Government Pleader

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JUDGMENT

[Judgment of this Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the appellants.

2. This appeal is directed against the interim order passed in W.P.(MD)No.14043 of 2018 dated 04.07.2018.

3. The learned writ Court had directed the first appellant to grant temporary recognition to the respondent Institution. We find that the writ petition along with the miscellaneous petition is still pending before the learned Single Bench. We are informed by the learned Special Government Pleader appearing for the appellants that counter affidavit had already been filed by the appellants in the writ petition and they will move for vacating the interim order.

4. In the light of the statement made by the learned Special Government Pleader appearing for the appellants, we dismiss the present appeal giving liberty to the appellants to move the learned Single Bench for vacating the interim order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

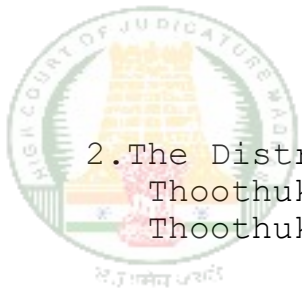
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Sub Assistant Registrar(CS)

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To

1.The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.



2.The District Elementary Educational Officer,
Thoothukudi,
Thoothukudi District.

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ORDER MADE IN
W.A. (MD) No.914 of 2019
09.09.2019

JMN(04.10.2019) 3P : 3C