

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.19139 of 2013

&

M.P.No.1 of 2013

C. Govindaraj

...Petitioner

vs

1.The Principal Secretary/
State Commissioner for the Differently Abled,
Chennai-6.

2.Murugasamy,
The Correspondent,
Tiruppur School for the Deaf,
Murugampalayam, Iduvampalayam Post,
Tiruppur-641 687.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to take action for closure of school and for evicting the 2nd respondent from the petitioners premises in accordance with the strict compliance of order dated 10.01.2013 in Proceedings No.2134/RD2-4/2012.

For Petitioner : Mr.B.Nedunchezian

For R1 : Mr.V.Shanmugasundar
Special Government Pleader

For R2 : Mr.C.R.Prasanan

ORDER

This writ petition is heard through Video-Conferencing, on account of the COVID-19 pandemic situation.

2. The writ petition has been filed seeking a mandamus

directing the 1st respondent to take action for closure of school and for evicting the 2nd respondent from the petitioner's premises in accordance with the strict compliance of order dated 10.01.2013 in Proceedings No.2134/RD2-4/2012.

3. On 10.01.2013, the first respondent had issued a letter in Proceedings No.2134/RD2-4/2012. The said communication specifically states that due to failure to renew the certificate of registration accorded to Tiruppur School for the Deaf and Dumb under Section 52 of the Persons with Disabilities Act, 1995, the said school ceased to function from 11.01.2013. The correspondent, who is the second respondent herein was instructed to transfer the children with hearing impaired to any nearby recognised children school with hearing impaired in Tiruppur or Coimbatore, as specified by the District Disabled Welfare Officer of the Tiruppur.

4. The petitioner has filed the above writ petition based on the said order seeking a mandamus directing the first respondent to take action for closure of the school and for evicting the second respondent from the petitioner's premises, in compliance with the above mentioned order.

5. The learned counsel for the second respondent would submit that after filing of the writ petition, the certificate of registration was renewed on 01.02.2013 and was in force till 31.03.2015.

6. However, upon instructions, the learned Special Government Pleader appearing for the first respondent would submit that there was no such renewal thereafter and the school is now closed and hence, the writ petition has become infructuous.

7. Recording the statement of the learned Special Government Pleader, the writ petition is dismissed as having become infructuous. It is open to the second respondent to apply for renewal of registration, if he is so advised. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

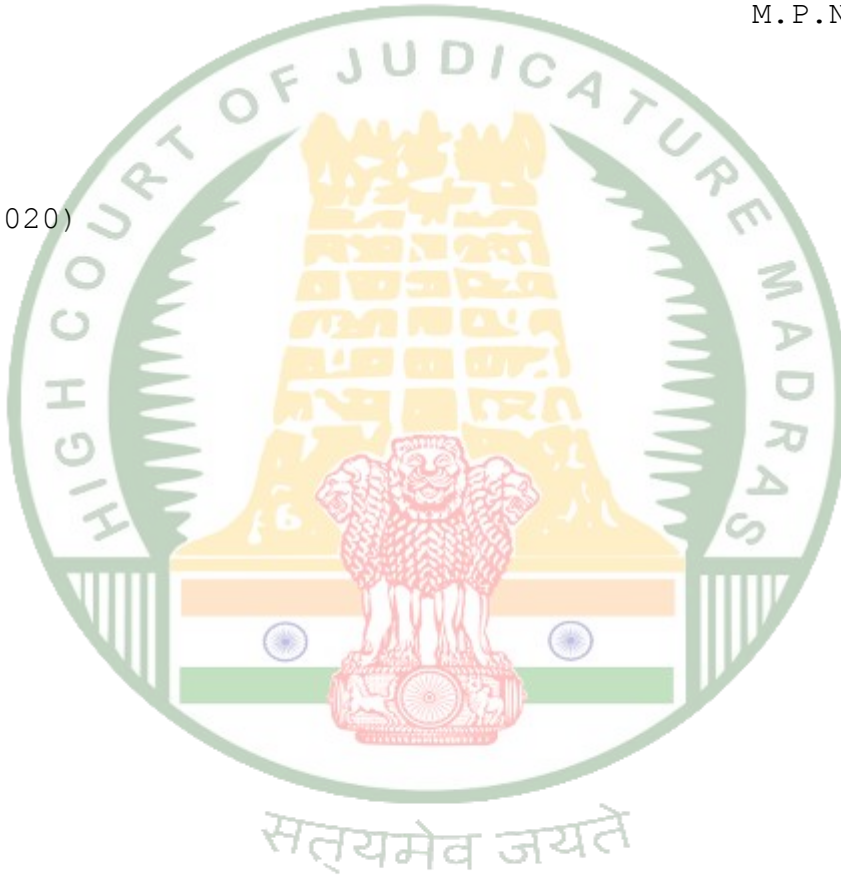
asr/rsi

To

The Principal Secretary/
State Commissioner for the Differently Abled,
Chennai-6.

W.P.No.19139 of 2013
&
M.P.No.1 of 2013

BR (CO)
RN (21/10/2020)



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