

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 35615 of 2019

and

W.M.P. No. 36507 of 2019

Smt. Latha

... Petitioner

Vs.

1. The Secretary / Chief Administrative Officer, Central Board of Secondary Education, Shiksha Kendra  
2 Community Centre, Preet Vihar  
New Delhi - 110 092.
2. The Regional Officer  
Central Board of Secondary Education  
Plot No.3, Old No.163-6A, 6<sup>th</sup> Avenue  
16<sup>th</sup> Main Road, Annanagar West  
Near Sri Devi Hospital  
Chennai - 600 040.
3. The Chief Education Officer  
O/o. The CEO, Veerappa Nagar  
Krishnagiri - 635 001.
4. The District Educational Officer  
O/o. The DEO  
138, Royakkoatta Road  
Old Royakkoatta Road  
Hudco, Hosur - 636 109.
5. The Green Valley Educational Trust Rep by its President  
Kalahastipuram  
Bhagalur Road  
Avalapalli Post  
Hosur Taluk  
Krishnagiri District.

6. The Green Valley (CBSE) School  
Rep by its Correspondent  
Kalahasthipuram  
Avalapalli Post  
Hosur Taluk  
Krishnagiri District.

7. R.Santhi  
8. M.Suganthi  
9. S.Manjula  
10.K.Palaniyandi  
11.K.Sathiavani  
12.K.Anbalagan  
13.S.D.Umasankar  
14.K.K.Duraisamy  
15.S.Elangovan

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents 1 and 2 not to grant affiliation to the Sixth Respondent school being run by the Fifth Respondent Trust.

For Petitioner : Mr. J.Ramakrishnan

O R D E R

When it is pointed out that the nature of grievance sought to be ventilated by the Petitioner in the Writ Petition involves disputed questions of fact, viz-a-viz, the rights of the Petitioner and the Seventh to Fifteenth Respondents in respect of the management of the Fifth and Sixth Respondents, which require to be decided after recording of evidence of the parties on rival contentions and could not be redressed by invoking the public law remedy following summary procedure under Article 226 of the Constitution, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to institute suit before the jurisdictional Civil Court for effectual and complete adjudication of the matter and he has made an endorsement to that effect, which is recorded.

2. Accordingly the Writ Petition is dismissed as withdrawn grating such liberty. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mayaya

To

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+1cc to Mr.J.Ramakrishnan, Advocate SR.329

W.P. No. 35615 of 2019

SSD (CO)  
CB(21/02/2020)