

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 09.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.A.Nos.1882 to 1886 of 2012

M.Abimanyou ... Appellant in W.A. No.1882 of 2012
Ramesh ... Appellant in W.A. No.1883 of 2012
R.Sethuvarayar ... Appellant in W.A. No.1884 of 2012
M.Padmavathi ... Appellant in W.A. No.1885 of 2012
G.Rama ... Appellant in W.A. No.1886 of 2012

versus

- 1.The Government of India
rep. by its Secretary,
Department of Human Resources and Education,
New Delhi - 110 001.
- 2.The Government of Tamil Nadu
rep. by its Secretary,
Department of School Education,
Fort St. George,
Chennai-600 009.
- 3.The Government of Tamil Nadu
rep. by its Secretary,
Department of Local Administration,
Fort St. George,
Chennai-600 009.
... Respondents 1 to 3 in W.A.No.1885 & 1886 of 2012
- 4.The Director of School Education,
Office of the Directorate of School Education,
Nungambakkam, ... Respondents 1 to 4 in W.A.
Chennai-600 034. Nos.1882, 1883, 1884 of 2012

5.The Commissioner,
Alandur Municipality,
Alandur, Chennai.

... 5th Respondent in W.A. No.1882 of 2012

6.The Principal,
DAV School,
Sri Nantheeswarar Campus,
Adambakkam, Chennai.

... R6 in WA.1882 of 2012

5.The Head Master,
Sri Nadesan Vidyalaya Matriculation
Higher Secondary School,
Muduchoor Road,
Mannivakkam,
Chennai-600 048.

... 5th Respondent in W.A. No.1883 of 2012

5.The Commissioner,
Ambattur Municipality,
Ambattur, Chennai.

6.The Regional Director,
Central Board of Secondary Education,
Plot No.1630-A, "J" Block,
16th Main Road, Anna Nagar West,
Chennai-600 040.

7.The Principal,
Vellammal Vidyalaya CBSE School,
Ayanampakkam,
Chennai.

... Respondents 5 to 7 in W.A. No.1884 of 2012

4.The Regional Director,
Central Board of Secondary Education,
Plot No.1630-A, "J" Block,
16th Main Road,
Anna Nagar West,
Chennai-600 040.

5.The Commissioner,
Chennai Corporation,
Ripon Building, Chennai-600 003. ... Respondents 4 & 5 in W.A.
Nos.1885 & 1886 of 2012

6.The Principal,
Vani Vidyalaya Senior Secondary & Junior College,
No.12, Vembuli Amman Koil Street,
K.K.Nagar (West),
Chennai-600 078. ... 6th Respondent in W.A.No.1885 of 2012

6.The Principal,
Chinmaya Vidyalaya,
Chinmaya Nagar,
Stage II, Virugambakkam,
Chennai-600 092. ... 6th Respondent in W.A.No.1886 of 2012

Prayer in all the Writ Appeals: Appeal filed under Clause 15 of Letters Patent to set aside the judgment made in W.P. Nos.10217, 10218, 12203, 13337 & 13338 of 2012 dated 02.07.2012 and allow the writ appeals.

W.P.Nos.10217 of 2012: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the third respondent to identify the neighbourhood school(s) where children can be admitted and make such information to public for each habitation by public notification by advertisement in all newspapers, in the website of the Education Department, consequently direct the 6th respondent school to admit the petitioner's child Mathivathani (age 3) in LKG Standard without any screening test by providing free education upto 8th standard with free uniforms, free education materials, free books and other needs for education.

W.P.No.10218 of 2012 Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the third respondent to identify the neighbourhood school(s) where children can be admitted and make such information to public for each habitation by public notification by advertisement in all newspapers, in the website of the Education Department, consequently direct the 5th respondent school to admit the petitioner's child to direct the 5th respondent school to admit the petitioner's child Pavithra (age 6) in the 2nd standard respectively without any screening test by providing free education upto 8th standard with free uniforms, free education materials, free books and other needs for education.

W.P.No.12203 of 2012: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus is preferred under Article 226 of the Constitution of India praying for the issue of a writ of mandamus to direct the 7th respondent school i.e (Vellammal Vidyalaya CBSC School, Ayanampakkam, Chennai) to admit the petitioner's child S.Swathi (aged 5) in 1st standard without any screening test by providing free education upto 8th standard with free uniforms, free education materials, free books and other needs for education.

W.P.No.13337 of 2012:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus is preferred under Article 226 of the Constitution of India praying

for the issue of a writ of mandamus to direct the 6th respondent school to admit the petitioner's son Sanjay Bharathi, son of Manickam (age 9) in 5th standard without any screening test by providing free education upto 8th standard with free uniforms, free education materials, free books and other needs for education.

W.P.No.13338 of 2012:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus is preferred under Article 226 of the Constitution of India praying for the issue of a writ of mandamus to direct the 6th respondent school to admit the petitioner's daughter Vaishnavi (age 3) in L.K.G. without any screening test by providing free education upto 8th standard with free uniforms, free education materials, free books and other needs for education.

For Appellant
in all cases : No appearance

For Respondents : Mr.C.Munuswamy,
Special Government Pleader (Edn.)
for R1, 2 & 4 in W.A. Nos.1882,
1883 & 1884/2012 and
R1 & 2 in W.A. Nos.1885 & 1886/2012

Mr.R.Gopinath,
Standing Counsel (Chennai Corporation)
for R5 in W.A. Nos.1882, 1884 & 1885/2012

Mr.B.R.Shankaralingam
for R6 in W.A. No.1882/2012

Mr.G.Nagarajan for R4 (CBSE Edn.)
in W.A. Nos.1885 & 1886/2012
and R6 in W.A. No.1884/2012

Mr.B.Rabu Manohar for R6
in W.A. No.1886/2012
Mr.C.K.M.Appaji for R5
in W.A. No.1886/2012

R7-no appearance in W.A. No.1884/2012

COMMON JUDGMENT
(Judgment of this Court was delivered by T.RAJA,J.)

The writ appeals have been filed to set aside the order dated 02.07.2012 passed by the learned Single Judge in W.P. Nos.10217, 10218, 12203, 13337 & 13338 of 2012.

2.Learned counsel appearing for the appellants submitted that since the appellants sought for admission to their children for the academic year 2012-13, the prayer in the writ appeals has become infructuous.

3.In view of the submission made by the learned counsel appearing for the appellants, the writ appeals stand dismissed as infructuous since nothing further survives for adjudication. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vga

To

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New Delhi - 110 001.
2. The Secretary,
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Alandur, Chennai.
- 6.The Commissioner,
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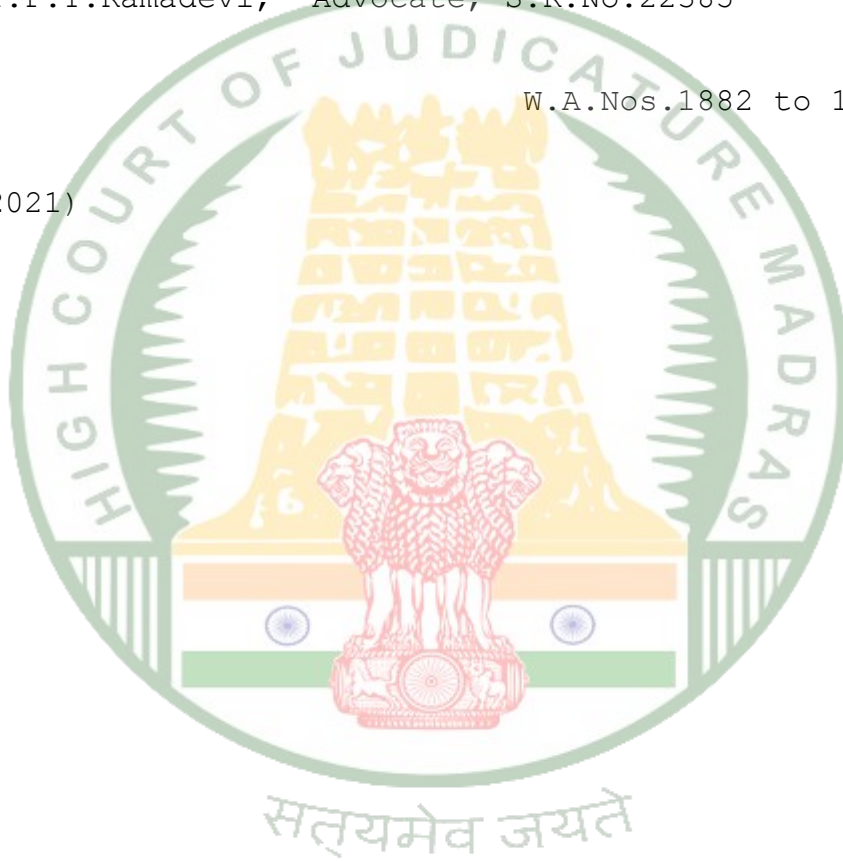
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8.The Commissioner,
Chennai Corporation,
Ripon Building, Chennai-600 003.

+1cc to Mr.R.Gopinath, Advocate, S.R.No. 22842
+1cc to Mr.P.T.Ramadevi, Advocate, S.R.No.22385

W.A.Nos.1882 to 1886 of 2012

SVI (CO)
GN(04/06/2021)



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