

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.11871 of 2020

K.M.Karthik

... petitioner

Vs

- 1 State of Tamilnadu
Rep through the Chief Secretary to the
Government Office of Revenue and Disaster
Management Dept. Disaster Management Wing
DM II Section Fort St.George, Chennai 9
- 2 Principal Chief Commissioner
of Income-Tax Chennai
121 M.G.Road
Nungambakkam Chennai -34.
- 3 The Chairman
Committee on Fixation of Fee in respect of
self Financing Professional Colleges F-1
DOTE Staff Quarters Gandhi Mandapam Road
Chennai -25.
- 4 The Chairman
Private Schools Fee Determination Committee
Chennai -6.
- 5 The Commissioner
Office of Commissioner of Treasuries and
Accounts Amma Complex 3rd Floor
Veterinary Hospital Campus No.571 Anna
Salai Nandanam Chennai -35.
- 6 The Secretary
Collegiate Education Dept. Fort St. George
Chennai -9.

- 7 The Secretary
School Education Department Fort St.
George Chennai -9.
- 8 The Director
Directorate of Matriculation Education DPI
Campus Chennai -9.
- 9 The Director
Directorate of Elementary Education DPI
Campus Chennai-9.
- 10 All India Council for Technical Education
Rep.by its Member Secretary
Nelson Mandela Marg Vasant Kunj
New Delhi -67. respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Directing the respondents 1 to 3 to direct the state government's treasury to take over the complete financial transactions with respect to the salary of teachers and professors and students fees of the private schools and colleges of Tamil Nadu. To reduce the fee structures of private schools and colleges to the maximum possible after a detailed audit by the Income Tax department on the private schools and colleges to close the cash counter/money collection by hand/by online at all private schools and colleges within the stipulated time as fixed by this Honourable Court.

For petitioner :: Mr.Abishek Yadav
For respondents :: Mr.G.K.Muthukumar, Spl.G.P.
for 1st respondent

Mr.C.Munusamy, Spl.G.P.
for respondents 6 to 9

Mr.E.Manoharan, for R-3

Mr.B.Rabu Manohar,
for 10th respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The primary relief sought in the writ petition is for the State Government's Treasury to take over the complete financial transactions pertaining to the salary of teachers, professors and students' fees of private schools and colleges in the State.

The other prayers relate to the reduction of the free structure for students and the closure of cash counters at all private schools and colleges.

2. As far as the main prayer is concerned, it is a matter of policy and no writ in the nature of Mandamus can be issued in such regard. Equally, it is for the State to consider whether it is appropriate to give instructions for reduced free structures, particularly in private unaided schools.

3. At the highest, the writ petitioner may be allowed to carry the substance of the writ petition by way of a written representation made to the Education Department for such Department to consider the same. There can be no order in aid of any of the reliefs sought by the writ petitioner.

4. W.P.No.11871 of 2020 is disposed of. There will be no order as to costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

- 1 The Chief Secretary to the Government Office of Revenue and Disaster Management Dept. Disaster Management Wing DM II Section Fort St.George, Chennai 9
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+1 cc to Mr.B.Rabu Manohar Advocate sr6451

W.P.No.11871 of 2020

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