

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.06.2021

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.Nos. 12927, 12930 and 12931 of 2021

1.S.Rajpadmanabhan ..Petitioner in W.P.No.12927 of 2021
2.M.A.Fathima ..Petitioner in W.P.No.12930 of 2021
3.D.Dhatchayani ..Petitioner in W.P.No.12931 of 2021

Vs

1.The Chief Educational Officer,
Office of the Chief Educational Officer,
No.58, Old GST Road,
Chengalpet - 603001.

2.The Principal/Correspondent,
Vael's Ravindra Bharathi Global School,
41-B, Medavakkam Main Road,
Keelkattalai, Chennai - 600117. ..Respondents in all WPs

Prayer in W.P.No.12927 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to issue transfer certificate mark statements and conduct certificate to the petitioners wards R.Akshaya karthiga and R.Navinesh who have completed 2nd and 5th standard respectively without further delay to enable the petitioner to admit his wards in another affordable school based on the request made by the petitioner dated 13/05/2021 herein.

Prayer in W.P.No.12930 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to issue transfer certificate mark statements and conduct certificate to the petitioners wards H. Thasilma Mehreen and H.Thanveer Roshan without further delay to enable the petitioner to admit their wards in another affordable school based on the request made by the petitioner dated 23/04/2021 and 16/05/2021 herein.

Prayer in W.P.No.12931 of 2021: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to issue transfer certificate mark statements and conduct certificate to the

petitioners ward Kanish K who has completed standard 1 without further delay to enable the petitioner to admit her ward in another affordable school based on the request made by the petitioner dated 17/05/2021 herein.

For Petitioner (In all WPs)	: Mr.M.Purushothaman
For Respondents (In all Wps)	: Mr. M.R.Gokulkrishnan, GA-R1 Mr. T.Ravindran - R2

COMMON ORDER

These writ petitions are filed seeking direction to the 2nd respondent to issue transfer certificate, mark statements and conduct certificate to the petitioners' wards, so as to enable them to admit their wards in another affordable school based on the request made by the petitioners.

2. Heard the learned counsel appearing for the petitioners and the learned Counsel appearing for the respondents.

3. The learned counsel for the petitioners relied upon by the final orders passed by this Court in similar matter in W.P.No. 625 of 2021, dated 18.01.2021 and agreed to pass orders on the same line.

4. The learned counsel appearing for the 2nd respondent school has also agreed to return the certificates in the light of the above said orders passed by this Court. The relevant paragraphs of the said order extracted below;

4.In the light of the aforesaid decision held by this Court in W.P.(MD).No.20726 of 2019 vide order dated 17.10.2019, that the certificates of a student cannot be held back by an Educational Institution citing financial dues and dispositive reasoning of this Court, this Court is inclined to allow this writ petition on the following terms:

(a)The Second respondent shall issue transfer certificate, conduct certificate, mark sheets, all other certificates and documents necessary for writ petitioner's son viz. Prajan.S to pursue his education further, within a week from the date of receipt of a copy of this order;

(b)Writ petitioner and his son shall go over to the office of the second respondent and

collect the documents under due acknowledgment within a week therefrom;

(c) It is open to the second respondent to file a suit against the writ petitioner if there is any fee balance or arrears and if the first respondent school chooses to do so, the jurisdictional civil court shall adjudicate upon the suit uninfluenced by and untrammelled by any observation made in this order.

5. It is made clear that the arrears of fees should not be indicated on any of the certificates that are to be handed over to the student.

6. This writ petition stands allowed accordingly. No costs. "

5. In view of the above, these writ petitions are disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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Keelkattalai, Chennai - 600117.

+3 Ccs to Mr.M. Purushothaman, advocate sr 30889, 30890, 30891
+1 CC to The Government Pleader sr 30399.

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and 12931 of 2021

JPL (CO)
SP(07/07/2021)