



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.Nos.36324, 36329, 36333, 36331, 36332,
36325,36326,36327,36328,36330 of 2016, 2218, 2220, 2221, 2223,
2224, 2225, 2226, 2219, 2222 of 2018, 893, 899, 896, 904, 908,
911, 912, 902, 5868, 11465, 11625, 28140, 28145, 28148, 28152,
28156, 28143, 28149, 28154, 28160, 28169, 28161, 28168, 28172,
28173, 28243, 28163, 28165, 28175 of 2019

&

W.M.P.Nos.31218, 31216, 31213, 31214, 31217, 31221, 31220,
31219, 31222, 31215 of 2016, 2716, 2717, 2718, 2720, 2722, 2723,
2721, 2724, 2719 of 2018 , 1022, 1004, 1008, 1011, 1013, 1015,
1001, 1019, 11863, 27789, 27793, 27797, 27799, 27808, 27794,
27798, 27806, 27819, 27827, 27811, 27815, 27820, 27915, 27825,
27829, 27831, 27833 of 2019

Salvation Matric Hr. Sec. School

No.1, Salvation Avenue,
Thirumullaivoyal, Chennai- 62.

Rep. by its Correspondent

Mrs.Rekha Manoharan

...Petitioner in WP No.36324 of
2016

Shanthosh Vidyalaya Matric Hr. Sec. School

No.9, Gangai Street, Balaji Nagar,
Tambaram East, Chennai-59.

Rep. by its Correspondent

Mr.G.Michael

...Petitioner in WP No.36329 of 2016

Sri Ramji Matric Hr. Sec. School

Ganapathypuram & Po.,
Kanyakumari District

Rep. by its Correspondent

Mr.T.Balakrishnan

...Petitioner in WP No.36333 of 2016

Brotherhood Matric Hr. Sec. School

No.3/387, Kasura Gardens,
Neelangarai, Chennai-41.

Rep. by its Correspondent

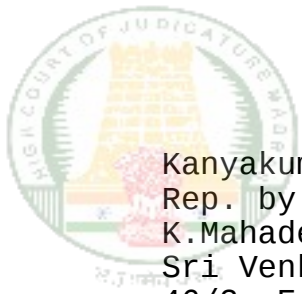
Mr.S.Appoline Fernando

...Petitioner in WP No.36331 of

2016

Uma Matric Hr. Sec. School

Alwarcoil Neyyoor Post,



Kanyakumari District - 629 802.

Rep. by its Correspondent

K.Mahadevan

...Petitioner in WP No.36332 of 2016

Sri Venkateswara Matriculation Hr. Sec. School

46/3, East Tank Road,

Thiruvallur - 602 001.

Rep. by its Correspondent

Mr.N.Venkatesan

...Petitioner in WP No.36325 of 2016

St.Francis De Sales Matric. Hr. Sec. School

S.F.S. Nagar, Mallanginar Road,

Virudhunagar - 626 001.

Rep. by its Principal

Rev. Fr. S.Britto

...Petitioner in WP No.36326 of 2016

Hari Sree Matric Hr. Sec. School,

Thachoor, Thiruvattar,

Kanyakumari District.

Rep. by its Correspondent

Mr.T.K.Madhavan

...Petitioner in WP No.36327 of 2016

M.S.R Matric Hr. Sec. School,

Vanni Velambatti Road,

T.Kallupatti, Peraiyur,

Madurai- 625 702.

Rep. by its Correspondent

Dr.R.Muthukrishnan

...Petitioner in WP No.36328 of 2016

S.F.S Matric Hr. Sec. School,

No.28, Kalif Nagar, Maruppani Road,

Pudukottai- 622 001

Chennai-41.

Rep. by its Principal

Rev. Fr. Arul Francis

...Petitioner in WP No.36330 of 2016

Rose Mary Matric Higher Secondary School,

No.1A, Punitha Vathiyar Street,

Palayamkottai - 627 002

Tirunelveli District.

Rep. by its Director

Jairus Ponniah.

...Petitioner in WP No.2218 of 2018

New Little Flower Matric Hr. Sec. School,

Nadwa Nagar, Shoolagiri-635 117.

Rep. by its Administrator

Mr.Juned Uzzama.

...Petitioner in WP No.2220 of 2018



Keren Matric Hr. Sec. School,
Madurai Main Road,
K.Puliankulam Checkanurani,
Madurai - 625 514.

Rep. by its Correspondent
Mr.P.Thiagarajapandian.
2018

...Petitioner in WP No.2221 of

Vivekananda Balamandir Matriculation School
Attayampatty, Salem District - 637 501.

Rep. by its Correspondent
Dr.S.Chandrasekaran

...Petitioner in WP No.2223 of

2018

S.S.M.Lakshmiammal Matric Hr. Sec. School,
No.161, Bypass Road,
Kumarapalayam - 638 183.
Namakkal District.

Rep. by its Principal
A.Parthiban.

...Petitioner in WP No.2224 of 2018

Green Valley Matric Hr. Sec. School,
No.2, Kalamegam Salai, Mogappair West,
Chennai - 600 037.

Rep. by its Correspondent
Mr.Jacob Dharmaraj.

...Petitioner in WP No.2225 of

2018

Royal Matriculation School,
A.R.S. Nagar, 1st Cross,
Kaveripattinam,
Krishnagiri District - 635 112.

Rep. by its Founder

S.A.Anwar.

...Petitioner in WP No.2226 of 2018

Calvary Matric Hr. Sec. School
Kolvel, Thiruvarambu - 629 161
Kanniyakumari District

Rep. by its Correspondent
Miss.J.B.Blessy Litta.

...Petitioner in WP No.2219 of

2018

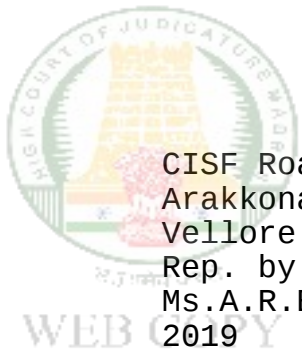
Sri Vidya Mandir Matric Hr. Sec. School,
Kattur Main Road,
Rasipuram, Namakkal - 637 408.

Rep. by its Correspondent

Dr.K.Kumarasamy.

...Petitioner in WP No.2222 of 2018

Royal Matric Hr. Sec. School



CISF Road, Ananthapuram,
Arakkonam - 631 151.
Vellore District.
Rep. by its Correspondent
Ms.A.R.Balkhees Begum.
2019

...Petitioner in WP No.893 of

Saraswathi Vidyalaya Matric Hr. Sec. School,
Vidya Nagar, Kaveripakkam - 632 508,
Vellore District.
Rep. by its Correspondent
Mr.H.Krishnanlal.

...Petitioner in WP No.899 of 2019

Annai Saradha Matriculation School,
Kalavai Road, Arcot-632 503.
Vellore District.
Rep. by its Correspondent
Mr.S.Umasankar
2019

...Petitioner in WP No.896 of

Bharathidhasanar Matriculation Hr. Sec. School,
Near TNHB, Jothinagar Post,
Arakkonam - 631 003.
Rep. by its Correspondent
Mr.J.Deivasigamani.
2019

...Petitioner in WP No.904 of

Sri Saraswathi Matric Hr. Sec. School,
Thirumalpur Road, Reddivalam Village,
Panappakkam Post, Vellore District - 631 052.
Rep. by its Correspondent
Mr.E.Subramani.

...Petitioner in WP No.908 of 2019

S.M.S.Vimal Matric Hr. Sec. School,
Tiruttani Road, Arakkonam - 631 003.
Rep. by its Correspondent
Mrs.Vimala Thirumalai.

...Petitioner in WP No.911 of 2019

Vivekanandha Matric Hr. Sec. School,
Sayanapuram, Nemili, Arakkonam Taluk,
Vellore District 631 051.
Rep. by its Correspondent
Ms.P.Vijaya.

...Petitioner in WP No.912 of 2019

Anne Marie Matric Hr. Sec. School,
Thiruparkadal, Walaja Taluk,
Vellore District - 632 508.
Rep. by its Correspondent



Sr.Fatima Kalavathi.
2019

...Petitioner in WP No.902 of

All India Private Educational
Institutions Association
Rep. by its State General Secretary
K.Palaniyappan,
No.5, M.P.Avenue, Majestic Colony,
Saligramam, Chennai.
2019

...Petitioner in WP No.5868 of

The Tamil Nadu Nursery Primary Matriculation
Higher Secondary Schools Association
Rep. by its State Secretary
Mr.K.R.Nandakumar, S/o.Ramachandran
Having office at
No.6, Egambaram St., Pammal,
Chennai - 600 075.

...Petitioner in WP No.11465 of 2019

Punjab Association
Rep. by its General Secretary
Mr.Ramesh Lamba,
New No.97, Old No.46,
V.M.Street, Royapettah,
Chennai - 600014.

...Petitioner in WP No.11625 Of 2019

Bharathi Matriculation Higher Secondary School,
Rep. by its Correspondent
Mr.R.Anbalagan,
Main Road, Bhuvanagiri - 608 601
Cuddalore District.

...Petitioner in WP No.28140 of 2019

V.P.S.Matriculation School,
Rep. by its Correspondent
Mr.C.S.Senthil,
410, East Pandy Road,
Maharajapuram,
Villupuram District - 605 602.

...Petitioner in WP No.28145 of 2019

Venus Matriculation Higher Secondary School
Rep. by its Correspondent
Mr.S.Kumar, Govindasamy Street,
Thilai Nagar, Chidambaram - 608 001
Cuddalore District.
2019

...Petitioner in WP No.28148 of

Infant Preparatory Matriculation
Higher Secondary School



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Rep. by its Correspondent
Smt.Vijayakumari, Periyar Nagar,
Virudhachalam - 606 001.
Cuddalore District.
2019

...Petitioner in WP No.28152 of

St. Joseph Matriculation
Higher Secondary School,
Rep. by its Correspondent
Mr.V.A.Theresnathan
Pettai Main Road,
Aalampoondi, Gengee Taluk,
Villupuram District.
2019

...Petitioner in WP No.28156 of

Rathana Matriculation Higher
Secondary School,
Rep. by its Correspondent
Mr.M.Ramakrishnan,
Panrutti,
Cuddalore District.
2019

...Petitioner in WP No.28143 of

Thava Amutham Matriculation Higher
Secondary School,
Rep. by its Correspondent
Sri Meivazhi Salai Sengole
Srimushnam (Post) - 608 703
Cuddalore District.
2019

...Petitioner in WP No.28149 of

Mount Carnel Mission Matriculation
Higher Secondary School,
Rep. by its Correspondent
Mr.Philomin Doss,
Kallakkurichi,
Villupuram District - 605 602.

...Petitioner in WP No.28154 of 2019

S.D.Eaden Matriculation Higher
Secondary School,
Rep. by its Correspondent
Mrs.T.Sugirtha Stella,
Vadalur, Cuddalore District.

...Petitioner in WP No.28160 of 2019

Saraswathi Matriculation Higher
Secondary School,
Rep. by its Correspondent



Mr.M.Rajasekaran
No.20, Thiru.Vi.Ka. Salai,
Villupuram District-605 201.

...Petitioner in WP No.28169 of 2019

WEB COPY

R.R.Matriculation Higher Secondary School,
Rep. by its Correspondent
Sri.R.Radhakrishnan, Jayalakshmi Nagar,
Nellikuppam,
Cuddalore District.

...Petitioner in WP No.28161 of 2019

Nithyanandha Matriculation Higher
Secondary School,
Rep. by its Correspondent
Mr.S.P.Nithiyanandham
Trichy-Chennai Main Road,
Villupuram District-605 602.

...Petitioner in WP No.28163 of 2019

Jawahar Matriculation Higher
Secondary School
Rep. by its Correspondent
Mr.M.S.Priyanka
By-Pass Road, B.Mutlur 608 501,
Cuddalore District.

...Petitioner in WP No.28165 of 2019

Krishnaswamy Memorial Matriculation
Higher Secondary School,
Rep. by its Correspondent
Dr.K.Rajendran,
112, Nellikuppam Main Road,
Cuddalore - 607 001.
Cuddalore District.

...Petitioner in WP No.28168 of 2019

St. Paul's Matric School
Rep. by its Correspondent
Mr.A.Paul Ranganathan,
Magalampettai - 606 104.
Cuddalore District.

...Petitioner in WP No.28172 of 2019

Musthafa Matriculation Higher Secondary School,
Rep. by its Correspondent
Anwar Ali, S.M.M., Pallippadai,
Chidambaram, Cuddalore District.

...Petitioner in WP No.28173 of 2019

Sri Venkateswara Matriculation School
Rep. by its Correspondent
Mr.C.Govindan



Nappaliah Street,
Villupuram District - 605 602.

...Petitioner in WP No.28175 of 2019

Thiruvalluvar Matriculation Higher Secondary School,
Rep. by its Correspondent

Sri R.Seran,
No.1, Raman Street, Vizhamangalam,
Panrutti - 607 106
Cuddalore District.
2019

...Petitioner in WP No.28243 of

Vs

1.The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600009.

2.The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai - 600006.

...Respondents 1 & 2 in WP Nos.36324 to 36333 of 2016,
2218 to 2226 of 2018, 893, 899, 896, 904, 908,
911, 912 & 902 of 2019, 28140, 28145, 28148,
28152 & 28156 of 2019, 28143, 28149, 28154,
28160, 28169 of 2019, 28161, 28163, 28165,
28168, 28172, 28173, 28175 & 28243 of 2019

3.The Director of School Education,
DPI Campus, College Road,
Chennai - 6.

4.Director of Elementary Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 6.

(Respondents 3 & 4 Suo Moto in
W.P.Nos.36324 to 36333 of 2016 by NKKJ)

...Respondents 3 & 4 in
WP Nos.36324 to 36333 of 2016

The Chief Educational Officer,
Vellore District.

...3rd Respondents in WP Nos.893, 896,
908, 911, 912 & 902 of 2019

1.The Secretary,
Department of School Education,



Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.

3.The Director of Matriculation Schools,
College Road, Chennai-6.

4.The Director,
Office of the Directorate of
Elementary Education,
DPI Complex, College Road,
Chennai - 6.

...Respondents 1 to 4 in
WP Nos.5868 & 11465 of 2019

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.

3.The Director of Matriculation Schools,
Directorate of Matriculation Schools,
DPI Campus, College Road, Chennai-6.

...Respondents 1 to 3 in WP Nos.11625 of 2019

Common Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other appropriate Writ, Order or Direction in the nature of Writ directing Respondents to pass orders for grating permanent recognition to the Petitioners' recognized Matriculation Schools under the provisions of Matriculation Code based on G.O.Ms.No.752 Education, Science and Technology Department dated 02.09.1994 and other subsequent Government orders. Whithin a time frame to be fixed by this Hon'ble Court respectively.

Prayer in WP No.5868 of 2019 : Writ Petition filed under Article 226 of the Constitution of India, praying the for a Writ of Mandamus directing the respondents to consider in granting Permanent Recognition to all Petitioner Associated Schools Instead of Granting Temporary Recognition based on the petitioner's representation dated 14.12.2018 as the said grant of Temporary Recognition is Unconstitutional and against their own statues.



Prayer in WP No.11465 of 2019 : Writ Petition filed under Article 226 of the Constitution of India, praying the Writ of Mandamus directing the respondents to grant permanent recognition to all the schools associated with the Petitioner Association instead of granting Temporary Recognition or for restricted period of recognition by considering petitioner Association's representations dated 31.08.2016 and 09.12.2016.

Prayer in WP No.11625 of 2019 : Writ Petition filed Under Article 226 of the Constitution of India, praying the Writ of Mandamus directing the 3rd Respondent to grant permanent recognition to the schools run by the Petitioner Association under Section 11 of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973.

For Petitioner : M/s.G.Sankaran

For Respondents : Mr.J.Ravindran
Additional Advocate General

Assisted by
Mr.A.Selvendran
Government Advocate

O R D E R

The relief that has been sought for in all these writ petitions filed by various institutions pertains to invoking Go.Ms.No. 752 dated 02.09.1994 whereby the institutions are seeking for grant of permanent recognition on satisfying the requirements as stipulated in the Government order.

2. The second respondent has filed a counter affidavit in all these writ petitions. The stand taken by the second respondent is that the Government order in question was issued in the year 1994 and subsequently, various incidents had taken place and several Government orders were passed and therefore, the Go.Ms.No.752 dated 02.09.1994 has become otiose.

3. Heard learned counsel for the petitioner and learned counsel appearing on behalf of the respondents.

4. The only reason why the petitioners have approached this Court is by virtue of Go.Ms.No.752, 02.09.1994, being in force. A careful reading of all the subsequent Government orders that were brought to the notice of this Court by the learned Additional Advocate General appearing on behalf of the respondents shows that there is absolutely no reference to Go.Ms.No. 752 in any of the subsequent Government orders. In view of the same, it cannot be assumed that Go.Ms.No.752 has been subsumed by the later Government orders.



5. In view of the above, all these writ petitions are disposed of with a direction to the respondents to give effect to the Government order in Go.Ms.No.752 dated 02.09.1994 till it is kept in force. A decision shall be taken in this regard by the 2nd respondent within a period of 6 weeks from the date of receipt of the copy of this order.

6. All these writ petitions are disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

Sha

To

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600009.
- 2.The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai - 600006.
- 3.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.
- 4.The Director of Elementary Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 6.
- 5.The Chief Educational Officer,
Vellore District.

+2ccs to Mr.A.Jenasenan, Advocate SR.No.48849

+1cc to Mr.G.Sankaran, Advocate SR.No.49154

+1cc to the Government Pleader SR.No.49065



&

27829, 27831, 27833 of 2019

RR(CO)

RVM(27/10/2021)

KKV/17/11/2021