

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

**W.P.No.20528 of 2014
and M.P.No.2 of 2014**

Thiru.Param Nursery & Primary School
Rep. by its Secretary & Correspondent,
Sanyasigundu Road Extension,
Kitchipalayam, Salem 636 015. ... Petitioner

Vs.

- 1 The Director of Elementary Education,
College Road, Chennai-6
- 2 The Chief Educational Officer, Salem
- 3 The District Elementary Educational Officer,
Salem 636 001
- 4 The Assistant Elementary Educational Officer,
Nursery & Primary/Urban, Salem.
- 5 The District Collector, Salem. ... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, call for the entire records connected with the impugned order passed by the 3rd respondent vide Na. Ka. No.0027/A4/2014 dated 23.7.2014 and quash the same and directing the 2nd

respondent to grant approval for opening permission for the petitioner's School from 1.6.2011 to 31.5.2014.

For Petitioner : Mr.S.N.Ravichandran
For Respondents : Mr.M.R.Gokulkrishnan, G.A.

ORDER

When the matter is taken up for final hearing on 7.4.2021, the respondent was directed to file status report regarding compliance of the requirements as per the conditions under the rules.

2. Today, status report has been filed by the District Educational Officer wherein it is stated that Educational authorities inspected the petitioner's school. The petitioner school submitted an application and the same was returned on 30.6.2020 to comply with the deficiencies pointed out by the educational authorities. Thereafter, Block Development Officer has scrutinised and return the application. Again, it was returned on 3.2.2021 and thereafter, the aforesaid deficiencies have been rectified by the petitioner and resubmitted on 3.5.2021 to the Block Development officer and the said report was forwarded to the District Educational Officer for passing further orders. As the report submitted by the Block Development Officer is pending with the District Educational Officer, Salem, the said application for granting approval has been duly considered by the District Educational Officer.

3. In view of the above, the District Educational Officer is directed

to consider the petitioner application to grant an approval for opening of Primary and nursery School and pass orders on merit as expeditiously as possible preferably within a period of four weeks from the date of receipt of copy of this order. In case, the petitioner has not complied with any of the conditions, the respondents shall not permit the school for admission of the students and to take appropriate action against the petitioner school in accordance with R.T.E. Act.

4. The writ petition stands disposed of with the above directions.

No costs. Connected miscellaneous petition is closed.

09.07.2021

Speaking / Non Speaking order

Index : Yes/No

Internet : Yes/No

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Note: Issue order copy on 12.7.2021

To

- 1 The Director of Elementary Education, College Road, Chennai-6
- 2 The Chief Educational Officer, Salem
- 3 The District Elementary Educational Officer, Salem 636 001
- 4 The Asst. Elementary Educational Officer, Nursery & Primary/Urban, Salem.
- 5 The District Collector, Salem.

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D.KRISHNAKUMAR, J.

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