

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15255 of 2014 and
M.P. No.1 of 2014

Murugan Nursery and Primary School,
rep. by its Correspondent Mr.M.G.Rajarajan,
No.61A, Kunjaramoorthy, Vinayagar Koil Street,
Chidambaram, Cuddalore 608 001.

..Petitioner

Vs.

1. The Director of Elementary Education,
DPI Campus, Nungambakkam,
Chennai 600 006.
2. The District Elementary Educational Officer,
Cuddalore.
3. The Assistant Elementary Educational
Officer (Nursery), Cuddalore.
4. Additional Assistant Elementary
Educational Officer, Kumaratchi 608 302,
Cuddalore District.

...Respondents

PRAYER: Writ petition filed under Section 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus or any other appropriate writ, order or direction in the nature of a writ, calling for the records of the 2nd respondent relating to the impugned proceedings in Na.Ka.No.2731/A4/2013 dated 09.12.2013 and in Na.Ka.No.2731/A4/2013 dated 31.05.2014 and quash the same and consequently direct the respondents 2 to 4 to process the petitioner's file seeking recognition for the period 2008-2011 within the time to be stipulated by this court.

For petitioner :Mr.R.Bharathkumar

For respondents :Ms.V.Annalakshmi

Government Advocate for R1 to R4

ORDER

This writ petition has been filed to quash the impugned proceedings of the 2nd respondent in Na.Ka.No.2731/A4/2013 dated

09.12.2013 and in Na.Ka.No.2731/A4/2013 dated 31.05.2014 and quash the same and consequently direct the respondents 2 to 4 to process the petitioner's file seeking recognition for the period 2008-2011 within the time to be stipulated by this court.

2. The learned counsel appearing for the petitioner submitted that the prayer sought for in the writ petition has become infructuous for the reason that the Educational Authority has granted recognition to the petitioner's school.

3. The above submission of the learned counsel for the petitioner is recorded.

4. Last hearing, this court found from the counter affidavit that the petitioner school has not satisfied the requirements for running a school and also not produced the necessary certificates and hence, directed the Director, Directorate of Elementary Education, Nungambakkam, Chennai by deputing an official concerned to inspect the petitioner school and to submit a status report on or before 27.04.2021. However, today, the respondents have not submitted any report.

5. Therefore, if the submission made by the learned counsel appearing for the petitioner is correct, the prayer sought for in the writ petition has become infructuous. If the above said fact is not correct, the respondents shall take appropriate action for non-compliance of the defects, required for running a school, as against the petitioner's school and also under the RTI Act.

6. With the above observation, this writ petition is dismissed as infructuous. No costs. Connected miscellaneous petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mst
To

1. The Director of Elementary Education,
DPI Campus, Nungambakkam, Chennai 600 006.
2. The District Elementary Educational Officer,
Cuddalore.

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3. The Assistant Elementary Educational Officer (Nursery), Cuddalore.
4. Additional Assistant Elementary Educational Officer, Kumaratchi 608 302, Cuddalore District.

+1 CC to Mr.R. Bharath Kumar, advocate sr 26104.
+1 CC to The Government Pleader sr 26018.

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SP(09/07/2021)



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