



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.19868 of 2019

D.Mahalingam

... Petitioner

vs.

The District Chief Education Officer,
Sub Collector Office Compound,
Pinker Post, Ooty - 643 006.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, restraining the Respondent from taking any coercive action against the School run by the Petitioner in the name and style of KIDZEE Play School, Chinnavandisolai Road, Wellington Barracks, Nilgris - 643 231, without following due process of law and giving proper opportunity to the Petitioner.

For Petitioner : Mr.D.Balachandran

For Respondent : Mr.Abishek Murthy,
Government Advocate

O R D E R

Petitioner has come up with this Writ Petition seeking to restrain the Respondent from taking any coercive action against the School run by him in the name and style of KIDZEE Play School, Chinnavandisolai Road, Wellington Barracks, Nilgris - 643 231.

2. According to the Petitioner, he has taken a lease of the property measuring 800 sq. ft. in non-residential premises near Gate of Wellington Cantonment, situated at Chinna Vandicholai, Wellington Barracks, Connoor Taluk, Nilgris District for running a pre-School in the name and style of KIDZEE Pre-School. He has invested huge amount in order to get the reputed Franchise from "KIDZEE FRANCHISE" and executed



Franchise Agreement on 16.05.2013 to run a reputed School in the District of Nilgris in the name of KIDZEE, having its Corporate Office at Fun Republic, Level 6th off. New Link Road, Andheri (West), Mumbai. The case of the Petitioner is that, without following any due process of law, the Respondent tried to close the School run by him and hence, having no other alternative, the Petitioner is before this Court with the above Writ Petition.

3. Learned Government Advocate appearing for the Respondents submitted that, the School run by the Petitioner was ordered to be permanently closed as per the proceedings of the District Educational Officer, Coonoor vide Na.Ka.No.1120/A2/2020, dated 14.03.2020, for the reason that, the Petitioner has not obtained proper recognition from the Authorities concerned.

4. Considering the facts and circumstances of the case and in view of the proceedings of the District Educational Officer, Coonoor vide Na.Ka.No.1120/A2/2020, dated 14.03.2020, ordering closure of the School run by the Petitioner, no further orders are necessary in this Writ Petition. However, the Petitioner is at liberty to work out his remedy in the manner known to law.

In view of the above, this Writ Petition is closed. No costs. Consequently, connected W.M.P.No.19403 of 2019 is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

The District Chief Education Officer,
Sub Collector Office Compound,
Pinker Post, Ooty - 643 006.

+1cc to Mr.D.Balachandran, Advocate, S.R.No.62335

+1cc to the Government Pleader, High Court, Madras, S.R.No.62623

W.P.No.19868 of 2019

EV(CO)
SU(20/01/2022)