



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.22151 of 2021

The Correspondent
Cambridge Nursery and Primary School,
Saathamangalam, Kangalanchery,
Thirumarugal Block - 610005,
Nagapattinam Taluk and District.

... Petitioner

-Vs-

1. The Director of School Education,
College Road Nungambakkam,
Chennai - 600 034.
- 2.The Director of Elementary Education,
College Road Nungambakkam,
Chennai - 34.
- 3.The Chief Educational Officer,
Nagapattinam.
- 4.The District Educational Officer,
Nagapattinam District.

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to pass an order granting permission to the petitioner school upgrading from Nursery and Primary School (LKG to V Standard) to a Middle School (Upto 8th Standard) by considering the application dated 21.05.2020 within a time frame to be fixed by this Court.

For Petitioner : Mr.D.Baskar

For Respondents : Mr. A.Selvendran
Government Advocate



O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the 3rd respondent to pass orders on the application submitted by the petitioner School on 21.05.2020 wherein the petitioner School has sought for the upgradation of the School from a Nursery and Primary School to a Middle School.

2. The case of the petitioner is that they have been granted permission by the concerned authority to run a Nursery and Primary School. The further case of the petitioner is that recognition was given from the year 2005 and it continues till date insofar as the Primary School is concerned. It is stated that the petitioner School is also admitting students under the 25% quota provided under the Right to Education Act.

3. The petitioner submitted an application on 21.05.2020 seeking for upgradation of the school into a middle School. According to the petitioner, they satisfy all the requirements and yet the 3rd respondent has not acted upon the application submitted by the petitioner. Left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

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

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be direction to the 3rd respondent to act upon the application submitted by the petitioner School and deal with the same on its own merits and in accordance with the relevant Government orders and take a decision and pass necessary orders within a period of 6 weeks from the date of receipt of the copy of this order.

6. The petitioner is directed to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order.

7. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar



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To

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+lcc to Mr.D.Baskar, Advocate Sr.54169
+lcc to the Government Pleader Sr.54251

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sra[col]
srg 10/11/2021