



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 1.11.2021

CORAM

THE HON'BLE MR.JUSTICE R. MAHADEVAN

W.P.No.23426 of 2021

N. Sukhalal

... Petitioner

versus

1. The Chief Educational Officer,
Office of the Chief Educational
Officer, No.58, Old GST Road,
Chengalpet 603 001.

2. The Principal/Correspondent,
Veals Ravindra Bharathi Global
School, 41-B. Medavakkam
Main Road, Keelkattalai,
Chennai 600 117.

... Respondents

Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the second respondent to issue transfer certificate, mark statements and migration certificate, conduct certificate tot he petitioner's son dharmichand without further delay to enable the petitioner to admit his son in another affordable school based on the request made by the petitioner to first respondent on 07.10.2021 and the second respondent on 07.10.2021.

For Petitioner : Mr.D.Velmurugan

For Respondents : Mr.A. Selvendran
Govt. Advocate for R1

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the second respondent School to issue the transfer certificate and other certificates to the son of the petitioner who is studying in the second respondent/school.



2. Mr.A.Selvendran, learned Government Advocate takes notice for the first respondent.

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3. The issue involved in the writ petition is squarely covered by the earlier order passed by this Court in W.P.No.13280 of 2020 dated 23.09.2020.

4. In the above order, this Court had directed the second respondent/School to immediately hand over the transfer certificate and other certificates to the students and not to detain them. This Court further held that if there is any arrears of fees that is due and payable to the school, separate proceedings can be initiated to recover the same and that is not a ground to detain the students in not issuing them the transfer certificate and other certificates. The above said order will squarely apply to the facts of the present case also.

5. In the result, the second respondent is directed to immediately act upon the request mad by the petitioner and hand over the transfer certificate and other certificates to the student. If according to the second respondent/school, there is any arrears of fees recoverable from the student, it is always open to the second respondent to workout its remedy in accordance with law.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

msr

To

1. The Chief Educational Officer,
Office of the Chief Educational
Officer, No.58, Old GST Road,
Chengalpet 603 001.



2. The Principal/Correspondent,
Veals Ravindra Bharathi Global
School, 41-B. Medavakkam
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Chennai 600 117.

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PP (CO)
SU (02/11/2021)