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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.11295 of 2017
& WMP No.12216 of 2017

Sam ''U'' Play Nursery and Primary School,
rep. by its Correspondent,
T.S.Gandhimathi,
Door No.2/5201, Site No.31, Part,
Amaravathi Nagar Extension,
Veerapandi Post, Tiruppur District.

...Petitioner

Vs

1.The Chief Educational Officer,
The District Collector Office Building,
Palladam Road, Tiruppur,
Tiruppur District.

2.The District Elementary Educational Officer,
The District Collector Office Building, Palladam Road,
Tiruppur, Tiruppur District.

3.The Assistant Elementary Educational Officer,
The District Collector Office Building,
Palladam Road, Tiruppur,
Tiruppur District.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the proceedings of the first respondent dated 08.08.2016 passed in Na.Ka.No.2696/A4/2016 and quash the same as illegal and to direct the respondents to return the file of the petitioner School in order to get approval from other Government Departments for the purpose of getting licence for running the School.

For Petitioner : Mr.J.Antony Jesus

For Respondents : Mr.A.Selvandran, GA for RR1 to 3

ORDER

This writ petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records of the proceedings of the first respondent dated 08.08.2016 passed in Na.Ka.No.2696/A4/2016 and quash the same as illegal



and to direct the respondents to return the file of the petitioner School in order to get approval from other Government Departments for the purpose of getting licence for running the School.

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2. The petitioner has challenged the impugned order dated 08.08.2016, wherein the Chief Educational Officer issued orders for closure of the petitioner's Nursery and Primary School for the reason that the said school is functioning without proper recognition and without basic infrastructure facilities. There was no interim order granted by this Court. But as per the records, it is seen that the petitioner has admitted the students without having approval. Therefore, the status report also indicated that the petitioner school has not satisfied with the requirements to consider for grant of approval by the authority and the order passed by this Court has already given directions to the authority concerned to take action against the running schools which are acting without approval of the authority concerned. These unrecognised schools are run by the concerned school managements without approval or recognition, would ultimately have considerable impact on the students and their future would be in stake and the same cannot be compensated by any means. Taking serious note on these issues, the authority concerned has been directed to act properly and consequently, appropriate action has been taken against these unauthorised schools. The status report also indicated that the petitioner has not complied with the basic requirements and in case the petitioner school comply with all these basic requirements as per the Rules, then it is for the petitioner to make a fresh application to the authority concerned with all relevant documents. Till such time the petitioner school shall not admit the students. So far as other existing schools are concerned, the Commissioner, Educational Department is also directed to issue necessary instructions to the concerned authority to take necessary action against the schools which are functioning without any approval from the competent authority.

3. With the above observation, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chief Educational Officer,
The District Collector Office Building,
Palladam Road, Tiruppur,
Tiruppur District.
- 2.The District Elementary Educational Officer,
The District Collector Office Building, Palladam Road,
Tiruppur, Tiruppur District.
- 3.The Assistant Elementary Educational Officer,
The District Collector Office Building,
Palladam Road, Tiruppur,
Tiruppur District.
- 4.The Commissioner, Educational Department,
Government of Tamil nadu, Chennai-9

+1cc to the Government Pleader, S.R.No.32132/21

W.P.No.11295 of 2017

RLD(CO)
RVM(30/07/2021)