



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2021**

CORAM:

WEB COPY

**THE HON'BLE MR.JUSTICE N.ANAND VENKATESH**

**W.P. (MD) .No.10671 of 2021**

Kovilpatti Nadar Uravinmurai Sangam,  
Rep. by its President,  
A.P.K.Palaniselvam Nadar,  
S/o.A.P.Kasi Nadar,  
No.65, Pathirakaliamman Kovil Street,  
Kovilpatti,  
Tuticorin District - 628 501.

... Petitioner

Vs.

- 1.The District Collector,  
Tuticorin District,  
Tuticorin.
- 2.The Chief Educational Officer,  
Tuticorin District,  
Tuticorin.
- 3.The District Educational Officer,  
Tuticorin District,  
Tuticorin.
- 4.The District Elementary Educational Officer,  
Tuticorin District,  
Tuticorin.
- 5.The District Registrar,  
O/o.The District Registrar Office,  
Palayamkottai,  
Tirunelveli District.

...Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents Nos.2 to 5 to extend the tenure of school committee of Nadar Higher Secondary School, Nadar Middle School and ICM Middle School for the further period of 6 months vide the petitioner's representations, dated 11.01.2021 and 25.01.2021.

For Petitioner

: Mr.C.Mayilvahana Rajendran



For Respondents

: Mr.M.Lingadurai,  
Government Advocate

**ORDER**

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This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representations made by the petitioner on 11.01.2021 and 25.01.2021 and to extend the period of the School Committee for a further period of six months.

2. The case of the petitioner is that the petitioner Sangam is running a School called as Nadar Higher Secondary School, Nadar Middle School and ICM Middle School. The further case of the petitioner is that there are nearly 1607 students and they are offering education from standards 6 to 12. It is stated that two of the schools are Aided Schools and other schools are running with Self Finance.

3. The petitioner Sangam had conducted an election for the office bearers in the year 2017 and Form-VII was also submitted before the fifth respondent on 18.09.2017. Thereafter, a proposal was sent to the respondents 2 to 4 to approve the School Committee. The School Committee was approved and their tenure came to an end on 04.09.2020.

4. Thereafter, the General Body Meeting was scheduled to be held on 13.12.2020 and necessary permission was sought for from the first respondent to conduct the General Body. Since there was a pandemic situation, the first respondent directed the petitioner to postpone the election. According to the petitioner, the shutdown is continued and there has been no improvement in the situation and therefore, a representation was made to the respondents seeking for the extension of the School committee for six more months. A resolution to that effect was also passed in the General Body Meeting and it was also forwarded to the respondents. The grievance of the petitioner is that the respondents have not taken any decision and as a result of the same, the petitioner is not in a position to claim for grants and other benefits for the teaching and non teaching staffs. Even the representations made by the petitioner were not considered. Left with no other option, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.C.Mayilvahana Rajendran, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.



6. Taking into consideration the facts and circumstances of the case and also the peculiar situation in which the petitioner Sangam is placed, there shall be a direction to the third respondent to consider the representations made by the petitioner on 11.01.2021 and 25.01.2021 and consider granting extension of the tenure of the School Committee for some time, till normalcy is restored. While granting such extension of tenure, it is left open to the third respondent to impose a condition that the election must be conducted by the petitioner within some time limit and a School Committee must be elected and the relevant Form-VII must be submitted before the fifth respondent which in turn can be forwarded to the fourth respondent. Till this process is completed, the functioning of the School should not be hampered and therefore, the extension of the tenure of the existing School Committee becomes unavoidable.

7. The petitioner is directed to make a fresh representation to the third respondent along with a copy of this order.

8. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-I)

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/ /2021

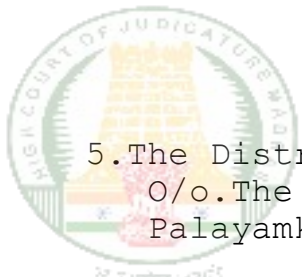
Sub Assistant Registrar(CS)

tsg

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,  
Tuticorin District, Tuticorin.
- 2.The Chief Educational Officer,  
Tuticorin District, Tuticorin.
- 3.The District Educational Officer,  
Tuticorin District, Tuticorin.
- 4.The District Elementary Educational Officer,  
Tuticorin District, Tuticorin.



5.The District Registrar,  
O/o.The District Registrar Office,  
Palayamkottai, Tirunelveli District.

+1 CC to M/s.SPL GP ( SR-20685[F] dated 30/06/2021 )

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**Order made in**  
**W.P. (MD) .No.10671 of 2021**  
**Dated : 28.06.2021**

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KG (CO)  
TR(07.07.2021) 4P 7C