



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2021

CORAM :

WEB COPY

THE HONOURABLE TMT.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE THIRU.JUSTICE P.VELMURUGAN

W.P(MD)Nos.15504 and 16533 of 2021
and
WMP(MD)Nos.13414 and 12432 of 2021

K.Abdul Vahabudeen

... Petitioner in both WPs

vs.

- 1) The Chief Secretary to the Government,
Secretariat,
Chennai.
- 2) The Principal Secretary to the Government,
School Education Department, Secretariat,
Chennai.
- 3) The Director of School Education,
DPI Complex College Road,
Chennai.
- 4) The Director,
Central Board of Secondary Education,
Shiksha Kendra,
2, Community Centre,
Preet Vihar,
Delhi.
- 5) Association of Management of Private Schools,
No.206A, 2nd Floor, Raheja Centre, Avinashi Road,
Coimbatore-641 018, Rep By its General Secretary.

... Respondents in both WPs

(R5 is impleaded vide order dated 22.10.2021 in WMP(MD)Nos.14786 & 14787/2021 in W.P(MD)Nos.15504 & 16533/2021)

W.P(MD)No.15504 of 2021 filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, by directing the respondents to pass suitable orders allowing the students to take up the classes through online as an alternative mode apart from undertaking of classes through physical mode

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pursuant to the order passed by the 1st respondent with regard to the resumption of classes for 9th standard to 12th standard in Go.(MS) No.522 of 2021 dated 21.08.2021 forthwith in pursuance to the petitioner's representation dated 19.08.2021.

W.P(MD)No.16533 of 2021 filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, by directing the respondents to pass suitable orders towards closing down the schools which were reopened on 01.09.2021 for the students studying from 9th Standard to 12th Standard pursuant to the G.O.(MS). No.522 of 2021 dated 21.08.2021 forthwith as an emergent measure so as to contain the spreading of novel Corona virus among the students and teachers on the strength of the petitioner's representation dated 04.09.2021.

For Petitioner : Mr.R.Anand
For R1 to R3 : Mr.R.Shanmugasundaram
Advocate General assisted by
Mr.P.Thilakkumar, Government Pleader
For R4 : Mr.P.Karthick
For R5 : Mr.Issac Mohanlal, Senior Counsel for
Isaac Chambers

COMMON ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

The learned Advocate General states that all the schools in Tamil Nadu have been opened from 01.09.2021 and the prayer in both the writ petitions has become infructuous.

2. Recording the said submission, the Writ Petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1) The Chief Secretary to the Government,
Secretariat,
Chennai.



2) The Principal Secretary to the Government,
School Education Department, Secretariat,
Chennai.

3) The Director of School Education,
DPI Complex College Road,
Chennai.

4) The Director,
Central Board of Secondary Education,
Shiksha Kendra,
2, Community Centre,
Preet Vihar,
Delhi.

+1 CC to M/s.SPL GP (SR-35861[F] dated 25/11/2021)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-35916[F] dated 25/11/2021

W.P(MD)Nos.15504 & 16533 of 2021
DATED : 24.11.2021

PS (CO)
KB(02.12.2021) 3P 7C