



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.2317 of 2022
and
W.M.P.No.2481 of 2022

T.A.Balachandran,
Founder Trustee,
Yuvan Educational Trust,
Noble Nursery and Primary School,
15,Venkatramier Street Kondithope,
Chennai - 600 079.

.. Petitioner

Vs

1. The Chief Educational Officer,
Chennai District,
Egmore,
Chennai - 600 008.
2. The District Elementary Educational Officer,
(North Chennai),
District Educational Office,
Sidco Nagar, Villivakkam,
Chennai - 600 049.
3. The Zonal Educational Officer,
Periyamet,
Chennai - 600 003.
4. The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.
5. K.Kothandapani
6. K.Manivannan
7. Kasthurithilagam

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the impugned notice of the first respondent



issued to the petitioner in Na.Ka.No.1746/C3/2020, dated 23.12.2021 and quash the same as illegal.

For Petitioner : Mr.Ma.Gouthaman

For Respondents-1 to 3 : Mr.Abhishek Murthy,
Government Advocate.

For Respondent-4 : Mr.TNC.Kaushik,
Additional Government Pleader.

O R D E R

The first ground agitated by the petitioner is that the impugned order passed by the 1st respondent, the Chief Educational Officer, is arbitrary and against the principles of natural justice.

2. When the matter was taken up for admission on 14.02.2022, this Court passed the following order after hearing the contentions of the parties as under:-

'Mr.Abhishek Murthy, learned Government Advocate accepts notice for R1 to R3 and Mr.TNC Kaushik, learned Additional Government Pleader accepts notice for R4 and both learned counsel seek sometime to obtain instructions and file a counter.

2. Notice to R5 through Court as well as privately, returnable 11.03.2022. Private notice on panel counsel is also permitted. Let proof of service be placed on file.

3. Mr.Abhishek, learned Government Advocate defends the impugned order stating that paragraph 2 thereof states that both sides of the dispute have been heard prior to passing thereof.

4. Prima facie, there is nothing in the opening paragraphs of the impugned order, which itself comprises only two paragraphs, that indicates that notice has gone to the petitioner and the branch of persons presently in management of the school.

5. The impugned order takes a stand opposed to that taken by the predecessor Chief Educational Officer in his order dated 31.08.2018, wherein, after a detailed consideration of the matter he has concluded that it is the petitioner and his branch of



(4) weeks from 17.03.2022 i.e., on or before 18.04.2022.

9. Status quo shall continue till orders are passed by R-1.

10. With this, this writ petition stands disposed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Jeni/Svn

To

1. The Chief Educational Officer,
Chennai District,
Egmore,
Chennai - 600 008.
2. The District Elementary Educational Officer,
(North Chennai),
District Educational Office,
Sidco Nagar, Villivakkam,
Chennai - 600 049.
3. The Zonal Educational Officer,
Periyamet,
Chennai - 600 003.
4. The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.

+lcc to Mr.K.M.Balaji, Advocate, S.R.No.17111

W.P.No.2317 of 2022

SPD(CO)
CT 24/03/2022