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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.6670 of 2019

M.L.Venkatswamy

...Petitioner

Vs

1. The Commissioner,
Corporation of Chennai,
Chennai-3.
2. The Deputy Commissioner (Education)
Corporation of Chennai
Education Department,
Chennai-3.
3. The Head Master,
Chennai Primary School,
Eswaran Koil Street, West Mambalam,
Chennai-33.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass orders on the representation dated 02.07.2018 and reminder dated 24.09.2018 seeking to forthwith restore and include the name of Thiru. Damodara Reddy in the School situate at Easwaran Koil Street, West Mambalam, Chennai -33 on merits and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For R1 and R2 : Mr.Rahul Aditya

For Ms.P.T.Rama Devi

O R D E R

Heard Mr.L.Chandrakumar, learned counsel for the petitioner and Mr.Rahul Aditya, learned counsel for R1 to R3.

2. The petitioner claims to be the great grandson of one Sri.Damodara Reddy. According to him, his great grandfather had constructed a School, donating the land as well as the superstructure to the then Corporation in the year 1987. The Corporation accordingly resolved to name the School



'Managaratchi Damodara Thodakka Palli' and the School was titled as such as per the Council Resolution.

3. While this is so, the State issued a Government Order in G.O.191 dated 12.07.2010 taking a policy decision that all Corporation Schools, at Primary, Middle and High School levels that contained the names of individuals must stand renamed to "Corporation Schools" simplicitor, without reference to the name of any individual.

4. In line thereof, the name of the R3 School also came to be changed, dropping the name of the petitioner's great grandfather from the name of the School. Aggrieved by this, the petitioner is before the Court seeking Mandamus, directing the respondents to pass orders on his representation dated 02.07.2018 and subsequent reminder, restoring the original name of the School containing the name of his great grandfather Sri.Damodara Reddy.

5. Counter has been filed relying on the mandate contained in G.O.191 and with this there is no question of issuing a mandamus as sought for by the petitioner. His request for restoration of the name of the individual in the name of the School must thus be rejected and I do so.

6. Be that as it may, learned counsel for the petitioner draws my attention to a subsequent exchange of communication between the authorities and the petitioner even after the date of the G.O., wherein they have sought some particulars to act on his request for restoration of the original name. This is perhaps for the reason that the petitioner has been repeatedly approaching the authorities with the same request, and the authorities have also, mechanically and without any application of mind, been engaging in correspondence with the petitioner, seeking various details and giving him the impression and hope that his request is being processed. Since the respondents appear to have completely lost sight of the above Government Order while corresponding with the petitioner, he states that he was totally unaware of the same.

7. At any rate, and as the aforesaid Government Order prevails now, the matter may be left to rest. The Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar



Jeni/Kak

To

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1. The Commissioner,
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Chennai-3.
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Education Department,
Chennai-3.
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Chennai Primary School,
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Chennai-33.

+1cc to Ms.P.T.Rama Devi, Advocate, S.R.No.17340
+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.17949

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GPL(CO)
CT 26/04/2022