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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.11200 & 11203 of 2022

N.Senthil Kumar ...Petitioner in W.P.No.11200 of 2022
R.Ramesh ...Petitioner in W.P.No.11203 of 2022

Vs.

1. The Chief Educational Officer
Office of the Chief Educational Officer
No.58, Old GST Road, Chengalpet 603 001.

2. The Principal / Correspondent
Vaels Ravindra Bharathi Global School
41-B Medavakkam Main Road
Keelkattalai
Chennai 600 117.

...Respondents in both W.Ps

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue Writs of Mandamus, directing the 2nd respondent to issue transfer certificate, mark statements and conduct certificate to the petitioners wards S.Shivani who has completed 6th standard (W.P.No.11200 of 2022) and R.Harshad and R.Sakshana, who have completed 8th Standard and 4th Standard (W.P.No.11203 of 2022) respectively without further delay to enable the petitioners to admit their wards in another affordable school based on the request made by the petitioners dated 21.04.2022 and 07.04.2022 herein.

(In both W.Ps)

For Petitioner : Mr.M.Purushothaman

For Respondents: Mr.C.Jayaprakash

Government Advocate for R1

C O M M O N O R D E R

Mr.C.Jayaprakash, learned Government Advocate accepts notice for the first respondent and is armed with sufficient instructions to enable final disposal of this matter at this point of time. Hence, bearing in mind the urgency expressed by the petitioners and the settled position in regard to the relief sought, final orders are passed in these Writ Petitions. Notice



is not considered necessary to R2, in light of slew of orders passed as against the same school arrayed as R2/Vaels Ravindra Bharathi Global School at 41-B, Medavakkam Main Road, Keelkattalai, Chennai 600 117.

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2.The wards of the petitioners were studying in R2 School which is affiliated to the Central Board of Central Education, and have completed 6th, 8th and 4th standards respectively, as on 2020.

3.Since the petitioners found the fee structure of the school unviable, they had been making representations from 2020 onwards seeking issuance of transfer certificates in order that they may be able to admit their wards in an alternate school, where they would be able to meet the demands of fee. However despite their repeated requests, they state that R2 school has not come forward to the issue the transfer certificates. Hence these writ petitions.

4.The compilation of documents accompanied in the writ affidavits contains four orders of this Court in which the respondents arrayed are the same as before me viz., (i). G.Jacqueline Vs. The Chief Educational Officer and Ors. dated 30.12.2020 in W.P.No.20265 of 2020, (ii).Sureshkumar V. Vs. The Chief Educational Officer and Ors.dated 18.01.2021 in W.P.No.625 of 2021, (iii).Kalpana Rajkumar Vs. The Chief Educational Officer and Ors. dated 30.04.2021 in W.P.No.10803 of 2021 and (iv).S.Rajpadmanabhan and Ors. Vs. The Chief Educational Officer and Ors.dated 30.06.2021 in W.P.No.12927, 12930 and 12931 of 2021,wherein those petitioners have made identical allegations as against R2 school as made by the petitioners before me.

5. That apart and even otherwise, R2 school holds no contractual, statutory or other lien to justify the retention of the certificates of the wards of the petitioners, for arrears of fee. Thus, let the certificates be returned forthwith to the petitioners, in any event within a period of one week from today. It is also made clear that none of the certificate will contain any reference to, or details of arrears of fee.

6.These Writ Petitions stand disposed in the aforesaid terms. No Costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

nst/sl



To

1. The Chief Educational Officer
Office of the Chief Educational Officer
No.58, Old GST Road
Chengalpet 603 001.

2. The Principal / Correspondent
Vaels Ravindra Bharathi Global School
41-B Medavakkam Main Road
Keelkattalai, Chennai 600 117.

+2cc to Mr.M.Purushothaman, Advocate, S.R.No.29962, 29963

+1cc to the Government Pleader, S.R.No.30877

W.P. No.11200 & 11203 of 2022

EV(CO)
RGA(27/05/2022)