



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.11943 OF 2020

AND

W.M.P.NOS.14666 AND 17374 OF 2020

M/s.SBOA School and Junior College Parents Association
Represented by its Secretary
Mr.Sahil Satyapal

... Petitioner

Vs.

1. Union of India
Represented by its Secretary,
Department of School Education and Literacy,
Shastri Bhavan, Jeevan Deep Building,
Parliament Street, West Block No.1 and 2,
R.K.Puram, New Delhi - 110 001.
2. State of Tamilnadu
Represented by its Chief Secretary,
Fort St.George,
Chennai.
3. The Chairperson
Centre Board of Secondary Education
Shiksha Kendra,
2, Community Centre,
Preet Vihar, Delhi - 110 092.
4. The Regional Officer
Centre Board of Secondary Education
New No.3, Old No.1630 - A,
J Block, 16th Main Road,
Anna Nagar West, Chennai - 600 040.
5. The Secretary,
Education Department,
Fort St.George,
Chennai.



6. The Chief Educational Officer,
Egmore,
Chennai.

7. M/s.SBI Officer's Association (Chennai Circle)
Represented by its General Secretary,
No.84, Rajaji Salai,
Chennai - 600 001.

8. The Correspondent,
M/s.SBOA School and Junior College,
No.18, School Road,
Anna Nagar Western Extension,
Chennai - 600 101.

9. The Principal
M/s.SBOA School and Junior College,
No.18, School Road,
Anna Nagar Western Extension,
Chennai - 600 101.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to refrain from enhancing the school fees payable by students studying in all classes in the respondent school for the academic year 2020-2021 and demanding and collecting the same by coercive steps or otherwise and taking any action against any student for failure to pay such fees and to provide quality and sufficient online classes to the aforesaid students for all the subjects prescribed in the curriculum, after providing necessary text books, on a daily basis on all working days without any break as long as the same is necessary in view of the pandemic COVID - 19 lock down and to collect the school fees from the parents/ guardians of the aforesaid students at the rates which were prevalent in the previous academic year in affordable instalments.

For Petitioner : Mr.R.Srinivas

For Respondents : Mr.K.S.Jeya Ganesan for R1
SPC
Mr.Stalin Abimanyu for R2, R5, R6
Additional Government Pleader
Mr.Shivakumar for R8 and R9
for M/s.K.M.Vijayan & Associates



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to refrain from enhancing the school fees payable by students studying in all classes in the respondent school for the academic year 2020-2021 and demanding and collecting the same by coercive steps or otherwise and taking any action against any student for failure to pay such fees and to provide quality and sufficient online classes to the students for all the subjects prescribed in the curriculum, after providing necessary text books, on a daily basis on all working days without any break as long as the same is necessary in view of the pandemic COVID - 19 lock down and to collect the school fees from the parents/ guardians of the students at the rates which were prevalent in the previous academic year in affordable instalments.

2.The learned counsel appearing for the petitioner submitted that the Government issued G.O.(Ms.) No.199, Revenue and Disaster Management Department, dated 20.04.2020 directing all the private schools and colleges (unaided) in the State not to compel the students or parents to pay the fee for the academic year 2020 - 2021 and challenging the said Government Order, many educational institutions filed writ petitions and the same were considered by this Court in W.P.Nos.8490 of 2020 etc., batch and on 30.07.2021, this Court upheld the validity of the said Government Order and issued guidelines. Hence, nothing survives for adjudication in this writ petition.

3.In view of the above, this writ petition is closed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Union of India
Department of School Education and Literacy,
Shastri Bhavan, Jeevan Deep Building,
Parliament Street, West Block No.1 and 2,
R.K.Puram, New Delhi - 110 001.



2. The Chief Secretary,
State of Tamilnadu
Fort St.George, Chennai.
3. The Chairperson
Centre Board of Secondary Education
Shiksha Kendra,
2, Community Centre,
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SBI Officer's Association (Chennai Circle)
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+1cc to M/s.K.M.Vijayan & Associates, Advocate, S.R.No.7973
+1cc to the Government Pleader, S.R.No.7742

W.P.No.11943 of 2020
And
W.M.P.Nos.14666 and 17374 of 2020

GPL (CO)
RLP (10/03/2022)