



W.P.No.28779 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.28779 of 2022

and

W.M.P.Nos.28067, 28069 & 28072 of 2022

St.Mary's Matriculation School,
Rep. By the Correspondent,
Ramana Nagar, Minjur,
Thiruvallur District – 601 203.

...Petitioner

Vs.

1.The Director of Matriculation Schools,
Directorate of Matriculation Schools,
DPI Campus, Chennai – 600 006.

2.The Private Schools Fee Determination Committee,
Rep. By its Special Officer,
PTA Building, DPI Campus,
College Road, Chennai – 600 006.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned communication dated 05.06.2022, on the file of the 2nd respondent and quash the same, consequently directing the respondents to permit the petitioner school to follow the fee structure of the



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year 2021-2022 as determined by the 2nd respondent on 01.12.2021, also for the current academic year, in accordance with Sec.6(5) of the Tamil Nadu Schools (Regulation of Collection of Fee) Act, 2009.

For Petitioner : Father Xavier Arulraj, Seniro Counsel
Assisted by Ms.A.Arulmary for
Father Xavier Associates

For Respondents : Ms.Mythreye Chandru
Special Government Pleader for R1

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The prayer in the Writ Petition reads as follows:-

“calling for the records pertaining to the impugned communication dated 05.06.2022, on the file of the 2nd respondent and quash the same, consequently directing the respondents to permit the petitioner school to follow the fee structure of the year 2021-2022 as determined by the 2nd respondent on 01.12.2021, also for the current academic year, in accordance with Sec.6(5) of the Tamil Nadu Schools (Regulation of Collection of Fee) Act, 2009”.

2.The issue in the Writ Petition is covered by the order in



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W.P.No.24906 of 2022 dated 15.09.2022 wherein, similarly placed educational institutions were permitted to follow the fees structure fixed by the Committee for the year 2021-2022 for the Academic year 2022-2023 also. In fact, the fee fixed by the Committee for the year 2019-2020 is much higher than the fee fixed for the year 2021-2022. Since the petitioner seeks to collect the fee fixed by the Committee for the year 2021-2022, which is infact, lesser than the fee fixed for the years 2019-2020, we see no reason to reject the request of the petitioner. The Committee has rejected the request of the petitioner by a single line order without looking into the provisions of Section 6, which vests the discretion in the institutions to approach the Committee.

3.Hence, this Writ Petition will stand allowed, the petitioner school is permitted to collect the fee fixed for the year 2021-2022 by the Committee for the year Academic year 2022-2023 also. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.M.,J.) (K.B.,J.)
07.11.2022

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Internet:Yes/No

3/5



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Index: Yes/No
Speaking/Non-speaking order

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R.SUBRAMANIAN, J.
and
K.KUMARESH BABU, J.

KKN

To:-

- 1.The Director of Matriculation Schools,
Directorate of Matriculation Schools,
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