



W.P. No. 21641 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P. No. 21641 of 2017

and

W.M.P. Nos. 22654 & 22655 of 2017

M.Senguttuvan,
S/o. Marimuthu

... Petitioner

Versus

1. The Director of Matriculation Schools,
DPI Complex,
College Road, Chennai.

2. The Inspector of Matriculation
Schools, Collectorate Complex,
Vengikkal, Tiruvannamalai.

3. Mr.M.Jayabalan,
Managing Trustee,
Cheran Educational Trust,
Murugapadi Village,
Polur Taluk, Tiruvannamalai Dt.

... Respondents

PRAYER : Writ Petition filed under Art. 226 of Constitution of India,
praying to issue a Writ of Certiorari to call for the entire records in



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connection with the impugned order of the 1st respondent made in O.Mu.No.3395/B3/2015 dated 03.03.2016 and quash the same.

For Petitioner : Mr.Ramesh Venkatachalapathy

For Respondents : Mr.R.Neethiperumal
Govt. Advocate for R1 & R2

Mrs.A.Arulmary for R3

ORDER

This Writ Petition has been filed challenging the order passed by the 1st respondent to grant approval to run the school by the 3rd respondent.

2. The main ground on which the challenge is made is that the permission has been granted without considering the objection of the petitioner in violation of principles of natural justice. Further, when the civil suits are pending, the permission ought not to have been granted.

3. The learned Government Advocate appearing for respondents 1 and 2 would submit that in pursuant to the permission granted, the school is being run and the same also recognised by the 1st respondent. Hence, now the school is running and intake of students also continued.



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3. In such view of the matter, merely because civil litigation pending between the parties, it cannot be a ground to revoke the permission granted to run the school. Accordingly, as the school is started and running continuously, the prayer itself sought against the grant of permission became infructuous. Therefore, this Writ Petition is dismissed as infructuous. However, the rights of parties and dispute may be decided in a civil litigation. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Index: Yes/No

Internet: Yes/No

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To

1. The Director of Matriculation Schools,
DPI Complex,
College Road, Chennai.

2. The Inspector of Matriculation
Schools, Collectorate Complex,
Vengikkal, Tiruvannamalai.

3. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR, J.

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