



W.P.(MD).No.1706 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.1706 of 2013

and

M.P.(MD)No.2 of 2013

S.Meeralavai
Secretary,
Cardamom Planters Union Higher Secondary School,
Cumbum – 625 518.
Theni District

... Petitioner

Vs.

- 1.The Secretary to Government,
Department of School Education,
Fort St.George, Chennai 600 009.
- 2.The Director of School Education,
College Road, Chennai 600 006.
- 3.The Director of Secondary Education,
College Road, Chennai 600 006.
- 4.The State Project Director,
Sarvashikshabiyan,
DPI Compound, Chennai – 600 006.

... Respondents



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PRAYER : Writ Petition has filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order of the first respondent in G.O(MS) No.213 School Education Department, dated 26.12.2011 and quash the same in so far as the petitioner school is concerned.

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.V.Nirmalkumar,
Government Advocate for R1, R2 & R4

: No Appearance, for R4.

ORDER

The Writ Petition has been filed by unaided Schools under the same management, challenging the G.O.(Ms)No.213 School Education Department, dated 26.12.2011.

2. The grievance of the writ petitioner is that in para No.4 of the said Government Order relating to composition of School Management Committee, the Chairman should only be a parent teacher association member.



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3. According to the writ petitioner, who is a President of the Educational Agency, his right to be the Chairman of the School Management Committee has been taken away under the impugned Government Order. He has further contended that the impugned Government Order is a violation of provisions of Tamil Nadu Private School Regulation Act.

4. The learned Government Advocate appearing for the official respondents has produced G.O.Ms.No.126 School Education (C2) Department, dated 25.05.2012, under which, the aggrieved clause mentioned by the petitioner has been amended. As per the amendment, in the Government Order in so far as the aided School is concerned, the School Management/Correspondent/Secretary or his nominee from the School Committee has been added.

5. In such circumstances, the grievance of the petitioner arising out of the impugned Government Order has been redressed by way of amendment introduced in G.O.Ms.No.126 School Education (C2) Department, dated 25.05.2012.



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6. In view of the amendment effected in the said impugned Government Order, the grievance has already been rectified and hence, no further order is required in this writ petition.

7. Recording the same, the writ petition is closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

05.08.2022

Index : Yes / No
Internet : Yes / No
das

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



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To

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R.VIJAYAKUMAR ,J.

das

Order made in
W.P.(MD).No.1706 of 2013
and
M.P.(MD)No.2 of 2013

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