



W.P.(MD).Nos.967 & 968 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).Nos.967 & 968 of 2013

and

M.P.(MD)Nos.2 & 2 of 2013

Nadar Saraswathi Higher
Secondary School (Boys)
Forest Road, Theni,
Theni District.
Rep.by its President,
Tiru.S.Selvanayagam.

... Petitioner
(in both petitions)

Vs.

- 1.The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Fort St.George, Chennai 600 009.
- 2.The Director of School Education,
College Road, Chennai 600 006.
- 3.The State Project Director,
Sarva Shiksha Abhiyan,
DPI Compound, Chennai 600 006.
- 4.The Chief Educational Officer,
Theni, Theni District,

... Respondents
(in both petitions)



W.P.(MD).Nos.967 & 968 of 2013

COMMON PRAYER : Writ Petitions have 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.

(both Petitions)

For Petitioner : Mr.Sasikumar,
for Mr.K.Appadurai.

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

: No Appearance, for R4.

COMMON ORDER

These Writ Petitions have 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 (in both petitions) 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.



W.P.(MD).Nos.967 & 968 of 2013

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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.



W.P.(MD).Nos.967 & 968 of 2013

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 these writ petitions.

7. Recording the same, both the writ petitions are closed. No costs. Consequently, connected Miscellaneous Petitions are 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).Nos.967 & 968 of 2013
and
M.P.(MD)Nos.2 & 2 of 2013

05.08.2022