



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.6030 of 2022

and W.M.P. (MD) .No.4701 of 2022

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Esther Santham Higher Secondary
School, rep. by its Manager &
Correspondent Pastor G.Nellaikumar,
(Founder & Managing Trustee -
International Youth Fellowship in Christ),
Old No.1/113-A, New No.1/197,
Kalvilai Road, Meignanapuram,
Tuticorin District.

.. Petitioner

Vs

- 1.The Chief Educational Officer,
C.V.Government Higher Secondary School Campus,
Tuticorin, Tuticorin District.
- 2.The District Educational Officer,
Government Boys Higher Secondary School Campus,
Thiruchendur, Tuticorin District.
- 3.The Block Educational Officer,
Udangudi,
Tuticorin District.
- 4.The Disaster Management Authority and
The District Collector, Tuticorin,
Collector Complex,
Tuticorin.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for all records relating to the impugned order of the 2nd respondent District Educational Officer in O.Mu.No.5059/2021, dated 29.01.2022 and the return of the application for recognition for standard 1 to 5 O.Mu.No.786/A2/2021, dated 01.03.2022 of the 3rd respondent/Block Educational Officer and quash the impugned orders and direct the 4th respondent to complete the inspection and upload the same in the 1st and 3rd respondent Google Links and thereby enabling the respondents 1 to 3 to grant recognition to the petitioners standard 1 to 5 in the Esther Santham Higher Secondary School, Meignanapuram, Tuticorin District, within such time as this Court may direct.

For Petitioner : Mr.M.Joseph Thatheus Jerome

For Respondents : Mr.N.GA.Nataraj

Government Advocate



ORDER

This writ petition has been filed challenging the impugned order, dated 29.01.2022, passed by the second respondent returning the application submitted by the petitioner for recognition of classes 1 to 5 for their School.

2.The petitioner is aggrieved on the ground that instead of the Block Educational Officer completing the statutory requirements, the application has been returned back to the petitioner.

3.Heard Mr.M.Joseph Thatheus Jerome, the learned counsel for the petitioner and Mr.N.GA.Nataraj, learned Government Advocate, who accepts notice on behalf of the respondents.

4.On instructions, the learned Government Advocate appearing for the respondents would submit that the petitioner's application seeking for recognition of classes 1 to 5 has not been rejected. But has been returned only for the purpose of resubmitting the application by the petitioner after duly signing the same. According to him, once the application is resubmitted, the respondent will process the same and consider the application seeking for recognition of classes 1 to 5, within a time frame to be fixed by this Court. It is also submitted that uploading all the necessary documents will be done by the Block Educational Officer. The said statement is recorded.

5.After recording the submissions made by the respective counsels, this Court directs the petitioner to resubmit the application seeking for recognition of classes 1 to 5 for their School, after duly signing the same to the third respondent, within a period of one week from the date of receipt of a copy of this order. On receipt of the said application, the Block Educational Officer shall upload all the documents and the first respondent shall pass final orders on the petitioner's application on merits and in accordance with law, after getting the report from the fourth respondent and after affording a fair hearing to the petitioner, within a period of two months, thereafter.

6.Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

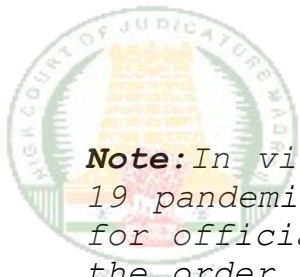
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/ /2022

Sub Assistant Registrar(CS)

TM

<https://hcservices.ecourts.gov.in/hcservices/>



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.

To

- 1.The Chief Educational Officer,
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- 3.The Block Educational Officer,
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- 4.The Disaster Management Authority and
The District Collector, Tuticorin,
Collector Complex,
Tuticorin.

+1 CC to M/s.M. JOSEPH THATHEUS JEROME, Advocate (SR-16484[F]
dated 05/04/2022)

+1 CC to M/s.SPL.GP (SR-17040[F] dated 06/04/2022)

W.P. (MD)No.6030 of 2022
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