



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.11822 of 2022 and

W.M.P. (MD)No.8413 of 2022

WEB COPY

R.Sundar

... Petitioner

Vs.

1. The Commissioner of School Education,
DPI Campus, College Road,
Chennai -2.
2. The Chief Educational Officer
Madurai Educational District,
Thallakulam, Madurai.
3. The Chief Executive and Secretary
for Indian School Certificate Examinations Council,
Pragati House, 3rd Floor,
47-48 Nehru Place,
New Delhi.
4. The Correspondent / Secretary,
Vikaasa School,
Heritage Campus,
Madurai - 16.
5. The Senior Principal,
Vikaasa School,
Heritage Campus,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 4 and 5 to admit the petitioner's daughter S.V.Deepita in Class-XI (Computer Science Group) and permit her to continue her education in the school.

For Petitioner : Mr.C.Arulvadivel @ Sekar
For R-1 & R-2 : Mr.V.Om.Prakash,
Government Advocate.
For R-4 & R-5 : Mr.Ragadeesh Kumar,
for M/s.Isaac Chambers.

* * *



O R D E R

Heard the learned counsel on either side.

2. The petitioner's daughter S.V.Deepita studied in Vikaasa School, Madurai, from LKG to 10th standard. She seeks admission to 11th standard in Computer Science group. Since the school management declined to accede her request, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned counsel appearing for the school management points out that the petitioner's daughter's original application was for admission in Maths-Biology group. She was in fact provisionally admitted. Later, the student underwent change of heart. She wanted admission in Computer Science group. Unlike Maths-Biology class that can accommodate 60 students, Computer Science group can accommodate only 34 students. By the time the petitioner changed her mind, all the 34 seats can be filled up. It is for this reason, the petitioner's daughter's request could not be complied with. Even though no formal counter was filed, the school management denies all the allegations made against them in the affidavit filed in support this writ petition.

4. The learned counsel appearing for the school management clarified that one seat is still vacant in Maths-Biology group and that it is possible to accommodate the petitioner's daughter. The learned counsel appearing for the writ petitioner on instructions states that the petitioner's daughter will join the course for which she originally submitted the application.

5. The school management is directed to admit the petitioner's daughter in class 11 (Maths-Biology). If before formal classes are taken vacancy arises in Compute Science group, the petitioner's daughter will be accommodated.

6. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

22/06/2022

Sub Assistant Registrar(CS)

PMU



To:

1. The Commissioner of School Education,
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KG (CO)

MGJ(22.06.2022) 3P 4C