



W.P.No.4148 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2023

CORAM

THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.4148 of 2023

Richa sharma ... Petitioner

Vs.

1. Board of Secondary Examination
represented by its Regional Director,
New No. 3, Old No. 1630A, J Block,
16th Main Road,
Anna Nagar West.
Chennai - 600040.
2. Babji Vidhyashram Senior Secondary School
Represented by its Correspondent,
89-91, Classic Farms Road,
Sholinganallur,
Chennai - 600 119.
3. The Principal,
Babaji Vidhyashram Senior Secondary School,
89-91, Classic Farms Road,
Sholinganallur,
Chennai - 600 119.
- 4 Ganesh Kasinathan ... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second and third respondents to issue Transfer Certificate to the petitioner's daughter Ms.Vriti Ganesh.

For Petitioner : Ms.Gopika Nambiar

For Respondent : Mr.E.Sathish Kumar
for R2 and R3
No appearance for R1 and R4

ORDER

This Writ Petition has been filed by a mother seeking a direction to the respondents 2 and 3 to issue Transfer Certificate to the petitioner's daughter who was studying in the 2nd respondent/Babji Vidhyashram Senior Secondary School. Chennai.

2.The young child is aged about 13 years and now she has obtained admission in Delhi Public School at New Delhi. To regularise the admission, she requires Transfer Certificate from the 2nd respondent. The 2nd respondent has refused to grant the Transfer Certificate because the 4th respondent herein has not signed in the application form. The 4th respondent is the father of the child/estranged husband of the petitioner herein. Either one of the parents can always be recognised as a parent of the child.



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WEB COPY 3. The 2nd respondent cannot and should not stand on such formalities, particularly, when the education of the child is on the line. The child has already got admission in the Delhi Public School. By this time, the father should have voluntarily participated in the decisions regarding the schooling of the young child. He is not available. It is informed by the learned counsel for the petitioner that notice has been served and affidavit of service has also been filed. But, there is no counsel representing him. Even otherwise taking into consideration the welfare of the child who has now got admission in Delhi Public School, this Court issues a direction to the 2nd respondent to issue the Transfer Certificate provided there are no fees due and payable. On the basis of the Transfer Certificate, let the petitioner regularise the admission of her daughter in Delhi Public School,

Accordingly, this Writ Petition is allowed. A direction is issued to the 2nd respondent to issue Transfer Certificate forthwith at any rate, within five working days. No costs.

24.02.2023

Index : Yes/No
Speaking/Non speaking order

3/5



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C.V.KARTHIKEYAN, J,

mps

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