



W.P.No.7162 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2023

CORAM
THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.7162 of 2023

Mannur Chengalvaroya Naidu School Managing Board,
(Registered under the Societies Registration Act),
Regd.No.63/1954,
By its Secretary,
Mr.M.Srikanth,
M.C.N.Higher Secondary School.
Habibulla Road, T.Nagar,
Chennai - 600 017.

...Petitioner

Vs.

1. The Chief Educational Officer,
Egmore, Chennai-600 008.
2. The District Educational Officer,
(Secondary), Chennai South,
Saidapet, Chennai-600 015.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent herein to extend the time granted in his letter Ref.No.Na.Ka.00585/A3/2023, dated 09.02.2023, for further period of six months from 01.03.2023 and to continue the release of aided funds to the School's Teaching and Non-Teaching Staffs.

For Petitioner : Mr.B.Divakaran



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For Respondents : Mr.E.Veda Bagath Singh, Spl.G.P

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 1st respondent to extend the time granted in his letter bearing Ref.No.Na.Ka.00585/A3/2023, dated 09.02.2023, for a further period of six months from 01.03.2023 and to continue the release of aided funds to the School's Teaching and Non-Teaching Staffs.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that his grandfather namely Late.M.N.Sakhi Gopal along with other philanthropist of his Community formed a Society in the name of "Mannur Chengalvaroya Naidu School Managing Board" with an intention to provide affordable Education to the poor and downtrodden section of people and the same was registered as No.63/1954 under the Societies Registration Act. Thereafter, the founder



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members established Primary as well as Higher Secondary School in the name of "M.C.N.Elementary School" & "M.C.N.Higher Secondary School".

While so, after the demise of the said M.N.Sakhi Gopal, the petitioner's father namely M.Gajendran was appointed as the Secretary of the said Society and subsequently, after his demise, the petitioner herein was nominated to continue as the Secretary of the petitioner school and when the same was intimated to the 2nd respondent, vide letter dated 15.11.2022, the 2nd respondent, vide letter dated 22.11.2022, directed the petitioner to furnish some of the records, including the Society Renewal Certificate for granting approval of the new Board of Directors. Upon receipt of the said letter, the petitioner sought for grant of time to furnish the documents, pursuant to which, the 2nd respondent, vide letter dated 23.11.2022, extended the time for furnishing the particulars and also granted ad-hoc approval of the appointment of the petitioner as the Secretary till 31.12.2022. Despite the above extension of time, as the petitioner was unable to comply with the requirements of the 2nd respondent, the petitioner, vide letter dated 30.12.2022, sought for further extension of time to furnish the required documents and subsequently, the 2nd respondent, vide letter dated 02.01.2023 extended further time. Despite which, as the



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petitioner was not able to comply with the requirements, he once again, vide letter dated 21.01.2023 sought for further extension of time before the 1st respondent and the 1st respondent, vide letter dated 09.02.2023, extended the time finally till 01.03.2023 and further directed that, in the event of non-compliance of the above said requirements, orders will be passed for payments of Grant under Direct payment method. Despite all the above said extension of time, the petitioner was unable to furnish the documents, due to some delay in collecting the records from the Registration office. Hence, the petitioner has come up with this Writ petition, seeking to direct the 1st respondent to extend the time granted in his letter bearing Ref.No.Na.Ka.00585/A3/2023, dated 09.02.2023, for a further period of six months from 01.03.2023 and to continue the release of aided funds to the School's Teaching and Non-Teaching Staffs.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st respondent to extend the time granted in his letter bearing Ref.No.Na.Ka.00585/A3/2023, dated 09.02.2023, for a further period of six months from 01.03.2023 and to continue the release of aided funds to the



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School's Teaching and Non-Teaching Staffs.

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5. Learned Special Government Pleader appearing for the respondents have no objection for the said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to consider the petitioner's letter dated 21.01.2023 on merits and in accordance with law and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order, with regard to grant of extension of time, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. This Writ petition is accordingly disposed of. No costs.

09.03.2023

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Speaking Order : Yes/ No

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M.DHANDAPANI, J.

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