



W.P.No.16052 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MS.JUSTICE R.N.MANJULA

W.P.No.16052 of 2023

M.Mothilal

.. Petitioner

Vs

1. The Commissioner
Directorate of School Education
DPI Campus, College Road
Chennai – 600 006.
2. The District Collector
Kancheepuram District
Kancheepuram.
3. The Chief Educational Officer
Kancheepuram District
Kancheepuram.
4. The District Educational Officer (Private Schools)
Dr.P.S.Srinivasa School Campus
Ennaikaran Street
Kancheepuram – 631 501.



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5. The Principal
Vidhai Public School
49, Mettu Street
Kancheepuram – 631 501.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct respondents 1, 2 and 4 to take appropriate legal action against the fifth respondent/school for running the school without any recognition or approval from the Education Department or the competent authority, by making admission of students based on false advertisement in violation of statutory provisions, by considering the representation submitted by the petitioner dated 19.5.2023.

For the Petitioner : Mr.G.Sankaran
Senior Counsel
for Mr.S.Nedunchezhiyan

For the Respondents : Mrs.R.Anitha
Special Government Pleader
fo respondents 1 to 4

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

M.Mothilal, son of Mani, a resident of Konerikkupam, Big Kancheepuram, has filed this writ petition seeking issuance of a writ



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of mandamus directing respondents 1, 2 and 4 to take appropriate legal action against the fifth respondent/school for running the school without any recognition or approval from the Education Department or the competent authority and for making admissions based on false advertisement in violation of statutory provisions, by considering the representation submitted by the petitioner dated 19.5.2023.

2. Mr.G.Sankaran, learned Senior Counsel appearing on behalf of the petitioner, would submit that the fifth respondent/school, without obtaining any recognition from the Education Department is admitting students. In this regard, the petitioner sent representation on 19.5.2023 to respondents 1, 2 and 4. As the said representation did not evoke any response, the petitioner has been advised to file this writ petition.

3. Mrs.R.Anitha, learned Special Government Pleader appearing on behalf of respondents 1 to 4, placing on record the written instructions dated 23.5.2023 furnished to her by the fourth



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respondent, submitted that, on receipt of the representation of the petitioner, notice has been issued to the fifth respondent/school seeking their explanation. It is further submitted that the fourth respondent is seized of the matter and on receipt of the explanation from the fifth respondent, necessary action will be taken. She also submitted that, if the fifth respondent/school has admitted students without recognition, such students will be shifted to other recognized private schools.

4. Recording the aforesaid statement made by learned Special Government Pleader and considering the fact that the fourth respondent has already initiated action based on the representation of the petitioner, the writ petition is disposed of with a direction to the fourth respondent to proceed in accordance with law and conclude the proceedings initiated against the fifth respondent in accordance with law, preferably within a period of eight weeks from the date of receipt of a copy of this order.



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There will be no order as to costs. Consequently,

W.M.P.No.15485 of 2023 is closed.

(T.R., ACJ.) (R.N.M., J.)
24.05.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi/bbr

To:

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THE HON'BLE ACTING CHIEF JUSTICE
AND
R.N.MANJULA, J.

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