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W.P.No.17174 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

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

W.P.No.17174 of 2023

Edupark Educational and Charitable Trust,  
Represented by its Chairman,  
Mr.A.Chockalingam,  
No.3, Railway Station Road,  
Polur Taluk,  
Thiruvannamalai District - 606 803.

...Petitioner

Vs.

National Institute of Open Schooling (Government of India),  
Represented by its Director,  
A-24-25, Institutional Area,  
Sector - 62,  
Noida - 201 309,  
Uttar Pradesh.

...Respondent

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to process the application dated 17.04.2023 filed by the petitioner to the respondent for accreditation and inspect the school premises and the certificate for running the Open Schooling Scheme in Polur Taluk, Thiruvannamalai District and grant accreditation to the petitioner to start the Open Schooling Scheme in Polur Taluk, Thiruvannamalai District in accordance with law within a time frame.

For Petitioner : Mrs.Nalini Chidambaram, Senior Counsel

For Respondent : Mr.R.Thirunavukarasu,  
standing counsel for NIOS



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## **ORDER**

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The petitioner has filed this Writ petition seeking direction to respondent to process the application dated 17.04.2023 filed by the petitioner to the respondent for accreditation and inspect the school premises and the certificate for running the Open Schooling Scheme in Polur Taluk, Thiruvannamalai District and grant accreditation to the petitioner to start the Open Schooling Scheme in Polur Taluk, Thiruvannamalai District in accordance with law within a time frame.

2. Mr.R.Thirunavukarasu, learned standing counsel, accepts notice on behalf of the respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner has established Edupark Nursery and Primary School, Polur Taluk, Thiruvannamalai District thereafter renamed as Edupark Vidyalaya. The petitioner has taken lease for the property in S.No.228/5, situated in Polur Taluk from the



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owners of the property and entered into 30 years Rental Agreement dated 10.09.2019 with the owners of the said property and has also obtained the No Objection Certificate from the Tamil Nadu Fire and Rescue Department. Thereafter, D-License was also granted in favour of the petitioner vide proceedings of the Tahsildar dated 14.09.2020. While that being so, the petitioner applied for accreditation to the respondent to conduct academic courses vide application dated 21.04.2022 and another representation dated 17.04.2023. Since no response was forthcoming, the present writ petition has been filed.

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 respondent to consider the petitioner's representation dated 17.04.2023 and pass appropriate orders as expeditiously as possible.

5. On the above said contentions, heard learned standing counsel appearing for the respondent and perused the materials placed on record.

6. In view of the aforesaid submissions, this Court without expressing



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any opinion on the merits of the case, directs the respondent to consider the petitioner's representation dated 17.04.2023 on merits and in accordance with law and pass appropriate orders, within a period of twelve (12) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner as well as aggrieved persons, if any.

7. Accordingly, this Writ petition stands disposed of. No costs.

**09.06.2023**

*(rap)*

NCC : Yes/ No  
Speaking Order : Yes/ No  
Index : Yes/ No

To

National Institute of Open Schooling (Government of India),  
Represented by its Director,  
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**M.DHANDAPANI., J.**

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