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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2023

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.19431 of 2019
and WMP.No.18937 of 2019

Children's Academy Nursery & Primary School,
Rep. By its Trustee R.Anitha,
No.18, Burrah Sahib Street, Chennai-2.

... petitioner

-Vs-

1. The Director of Primary Education,
Egmore, Chennai-6.
2. The District Educational Officer,
Presidency School, Egmore, Chennai-6.
3. The Chief Educational Officer,
Presidency School, Egmore, Chennai-6.
4. Ganesan
Block Development Officer,
Triplicane, Chennai-2.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Certiorarified Mandamus calling for the proceedings in Na.Ka.No.10745/F1 dated 19.06.2019 on the file of the first respondent and quash the same consequently direct to the respondents to re-consider our application for approval based on the letter dated 22.05.2017 within a time fixed by this Court.



For petitioners : Mr. V.S.Mannarsamy

For Respondents : Mr.M.Alagu Gowtham, GA RR1 to 3

ORDER

This writ petition has been filed seeking to quash the proceedings dated 19.06.2019 on the file of the first respondent and consequently, direct the respondents to re-consider his application for approval based on the letter dated 22.05.2017.

2. It is the case of the petitioner that the petitioner Institution was running from the year 2006 onward without any recognition. Thereby, the first respondent has passed the impugned order for closing the institution. Challenging the same, the present writ petition has been filed.

3. The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner Institution was running without any recognition and insufficient infrastructure. Therefore, the first respondent has rightly passed the order and this Court may dismiss the writ petition.

4. The learned counsel for the petitioner submitted that considering the students education, without interfering with the impugned order, this Court may



direct the respondents to consider the petitioner's representation dated 22.05.2017 for approval within the stipulated time as fixed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this court without going into the merits of the case and without interfering with the impugned order, permits the petitioner to make a fresh application to the first respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the first respondent shall consider the same and pass appropriate orders within a period of twelve weeks thereafter.

7. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

27.03.2023

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M.DHANDAPANI, J.



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To

WEB COPY

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Egmore, Chennai-6.
2. The District Educational Officer,
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