



WEB COPY



W.P.No.25283 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.25283 of 2023

Mohammed Jawahar Ali

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Nagapattinam.

2.The Chief Educational Officer,
Office of the Chief Education Officer,
Nagapattinam.

3.The District Educational Officer (Private Schools),
Office of the District Education Officer,
Nagapattinam.

4.AI-Amaan Crescent Matriculation Higher
Secondary School, Adhalaiyur, Enangudi,
Nagapattinam.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, directing the fourth respondent to



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allow the petitioner's daughters viz. (1) Fathima Busra and (2) Murshida Busra to continue in Class XI for the on-going academic year 2023 - 2024 based on the order made in Case No.38/2023, dated 01.08.2023 passed by the 1st respondent.

For Petitioner : Mr.T.Ananthasekar

For Respondents : Mr.G.Ameedius
Government Advocate for R1 to R3

Mr.S.Gajapathikrishnan
for R4

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner herein requires a direction from this Court to the fourth respondent to let his children continue their studies.

3.Mr.S.Gajapathikrishnan, the learned counsel takes notice for the fourth respondent, and submitted that the children of the petitioner are not yet admitted, and because the petitioner had laid a Civil suit challenging the quality of administration and also artificially creating allegations to disrupt



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smooth running of the school, the school apprehends that letting the children have their education in the fourth respondent school might only draw greater difference which may not be conducive to the education authority.

4.Heard Mr.T.Ananthasekar, the learned counsel for the petitioner, Mr.G.Ameedius, the learned Government Advocate appearing for respondents 1 to 3, and Mr.S.Gajapathikrishnan, the learned counsel appearing for the fourth respondent.

5.Without getting into the merit of the rival contentions, this Court merely inclined to state that the fourth respondent, being a private school is not amenable to Writ jurisdiction of this Court.

6.The writ petition stands closed accordingly. No costs.

28.08.2023

Anu

Index : Yes / No

Neutral citation : yes/no



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N.SESHASAYEE, J.

Anu

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