



W.P.No.10585 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

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G.Devarajan

... Petitioner-in
Person

VS

- 1.The Principal Secretary,
Education Department,
Government of Tamil Nadu,
Fort St. George, Chennai-600 009.
- 2.The Secretary,
School Education Department,
Government of Tamil Nadu,
Chennai-9.
- 3.The Director of School Education,
Directorate of School Education,
DPI Campus, Chennai-600 006.
- 4.The Chairman,
Private Schools Fee Determination Committee,
Chennai-600 006.



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5.The Head Master,
Don Bosco Higher Secondary School,
130, Madhavaram High Road,
Perambur, Chennai-600 011.

6.The Chief Educational Officer,
Panagal Building,
Anna Salai, Saidapet,
Chennai-15.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to forbear the fifth respondent from collecting any exorbitant fees from the students not more than the fees stipulated by the Tamilnadu Government and in case of any such collection of excessive fees, it shall be refunded to the respective students and the said process shall be monitor by the 1 to 4 and 6 respondents.

For the Petitioner : Mr.G.Devarajan
Petitioner-in-Person

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mr.K.M.D.Muhilan
Addl. Government Pleader
for respondents 1 to 3 and 6

: Ms.S.Kavya
for respondent No.4

: Dr. Fr.Xavier Arulraj
Senior Counsel
for Mrs.A.Arulmary
for respondent No.5



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ORDER

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

We have heard Mr.G.Devarajan, petitioner appearing in person; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.M.D.Muhilan, learned Additional Government Pleader for respondents 1 to 3 and 6; Ms.S.Kavya, learned counsel for the fourth respondent; and, Dr. Fr.Xavier Arulraj, learned Senior Counsel for Mrs.A.Arulmary, learned counsel for the fifth respondent.

2. The petitioner in person submits that he has filed the present petition in public interest. The fifth respondent school is collecting huge fees, much more than what has been prescribed.

3. We asked the party in person as to whether his child is studying in the school. The party-in-person submits that his child left the school in the year 2016.



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4. Prior to the present petition, the petitioner filed W.P.No.12475 of 2015. In the said writ petition, the present petitioner sought the relief of mandamus to direct the Special Officer of the Private School Fees Determination Committee to take necessary action and conduct an enquiry about the excess fees collected by the school for the period 2014-2015. A Division Bench of this court, under its judgment and order dated 27.10.2015, disposed of the writ petition filed by the petitioner, along with the writ petition filed by the fifth respondent herein.

5. The petitioner's child is not in the school since 2016. In case the parents of the any student are aggrieved, they can approach the court making a grievance regarding charging of excess fees or otherwise. The petitioner would not have locus standi for the same.

6. Earlier, the issue raised by the petitioner with regard to charging of excess fees is already decided by the Division Bench of this court in the writ petition filed by the present petitioner under



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the judgment dated 27.10.2015, as referred to above.

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7. The party-in-person submits that now the academic year is different. Though the academic year is different, the issue remains the same about the charging of excess fees that has already been dealt with.

8. In appropriate cases, if the parents of any student studying in the fifth respondent school approach the court, we may consider the grievance on its own merits.

With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.11527 of 2017 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU,J.

(sasi)

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