



W.P.No.30997 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.30997 of 2023
and
W.M.P.No.30637 of 2023

The Correspondent
Little Star Matriculation School,
Poochakadu, 1st Cross Street,
KVR Nagar, Door No.9/7b
Tirupur Village, Tirupur South Taluk,
Tirupur District.

.. Petitioner

VS

1.The Director of School Education,
Directorate of School Education,
College Road, Chennai – 600 009.

2.The District Educational Officer,
Tiruppur, Tiruppur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to grant approval to upgrade the school from Kindergarten to Matriculation school based on the petitioner's representation dated 01.09.2023 sent to respondents.

For Petitioner : Mr.A.Nilesh Ram
for M/s.K.M.Vijayan Associates

For Respondents : Mr.U.M.Ravichandran,
Special Government Pleader



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ORDER

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Heard Mr.Nilesh Ram, learned counsel for the petitioner and Mr.U.M.Ravichandran, learned Special Government Pleader for the respondents.

2. The petitioner claims to be a Correspondent of a Kindergarten run in the name & style of Little Star Matriculation School. Recognition has been granted by the District Educational Officer (DEO/R2) on 28.05.2019. The school is being run with a capacity of 150 students.

3. Since the petitioner intends to upgrade to the status of a Matriculation school, an application has been made to R2 for upgradation and with sanctioned strength of 436 students. The procedure also mandates that approvals and licences be obtained from statutory authorities and according to the petitioner such statutory approvals have been obtained. The application has been forwarded by R2 to R1 for processing.

4. Certain queries have also been raised by the respondents and, according to the petitioner, while some queries have been satisfied, some others are pending at its end for lack of clarity. For instance, the petitioner has been asked to obtain a No Objection Certificate (NOC) from Tirupur Municipal Corporation but he believes that such NOC is not contemplated as per extant



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guidelines.

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5. Be that as it may, since the application of the petitioner is presently under process, there is no justification for mandamus to be issued at this stage as it would be premature and will rather scuttle the process. Thus, the petitioner is permitted to appear before R2 on Monday i.e., 20.11.2023 at 10.30 a.m. with all documents in support of the application without anticipating any further notice in this regard.

6. The petitioner may seek and obtain clarifications, if any, that it has from the respondent office. Upon hearing the petitioner and receiving necessary documents as and when filed, R2 shall decide the application of the petitioner after due inspection of the school and, in accordance with the guidelines and law, ensuring that all necessary statutory approvals have been obtained, within a period of eight weeks from 20.11.2023 i.e., on or before 20.01.2024.

7. This writ petition stands disposed in terms of this order.
No costs. Connected miscellaneous petition is closed.

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Index:Yes/No
Neutral Citation:Yes
ssm



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DR. ANITA SUMANTH,J.

ssm

To

- 1.The Director of School Education,
Directorate of School Education, College Road, Chennai – 09.
- 2.The District Educational Officer,
Tiruppur, Tiruppur District.

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