

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.6739 of 2023

Standard Matriculation School
Rep. through its Correspondent Cum
Principal M.Vatsala,
Bagyalaxmi Grounds,
Periyar Saalai,
Lakshmipuram,
Palani-624601,
Dindigul District.

... Petitioner

Vs.

- 1.The Principal Secretary to Government
of Tamilnadu State,
Education Department,
Secretariat,
St.George Fort,
Chennai-600009.
- 2.The Secretary to the Government
of Tamilnadu,
Education Department,
Secretariat,
St.George Fort,
Chennai-600009.

3.The Director of Matriculation School,
Directorate of Matriculation School Office,
College Road,
Chennai-600006.

4.The Chief Educational Officer
Dindugal,
Dindigal District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second Respondent to grant recognition for conducting classes from LKG to V standard to the petitioner's school called Standard Matriculation School running at Bagyalakshmi Ground, Periyarsalai, Lakshmipuram, Palani-624601 in Dindigul District, by considering the petitioner's Revision Petition, dated 02.02.2022 and the petitioner's subsequent reminders dated 19.05.2022, 23.06.2022, 30.08.2022, 27.09.2022, 03.11.2022, 18.11.2022 and 28.11.2022.

For Petitioner : Mr.V.Nagendran

For Respondents : Mr.M.Ramesh,
Government Advocate

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction against the second respondent / Secretary to Government of Tamil Nadu, Education Department, Chennai, to grant recognition for conducting classes from LKG to 5th standard in the petitioner's School /Standard Matriculation School, Bagyalaxmi Grounds, Periyar Salai, Lakshmipuram, Palani, Dindigul District. The petitioner had given a Revision Petition, dated 02.02.2022. He had also given subsequent reminders.

2. The learned Government Advocate had taken notice on behalf of the respondents, had drawn attention to the order passed by the first respondent / Principal Secretary to Government of Tamil Nadu, Education Department, Chennai, dated 02.09.2021 in proceedings No.1652/MS/2021, wherein, on an application filed by the petitioner herein and after reference to an earlier Writ Petition in W.P.(MD) No.8623 of 2021, had rejected the application of the petitioner herein.

3. It is also seen that the earlier writ petition, had also been filed for the very same relief as sought in the present writ petition, namely, to grant recognition for LKG to 5th standard in the very same school namely, Standard Matriculation School, at the very same address, Bagyalaxmi Grounds, Periyar Salai, Lakshmipuram, Palani, Dindigul District. In that particular writ petition, the learned Single Judge, had disposed of the writ petition on 27.04.2021, with a direction to the petitioner to file a fresh appeal and to implead the fourth respondent namely, Secretary to Government of Tamil Nadu, Education Department, Chennai. Now, the Secretary to Government of Tamil Nadu, Education Department, Chennai, had rejected the application of the petitioner herein. Once that order has been passed a Mandamus will not lie and that order will have to be questioned by the writ petitioner herein.

4. The Writ Petition therefore, stands dismissed. No costs.

29.03.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes / No
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To

- 1.The Principal Secretary to Government
of Tamilnadu State,
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Chennai-600009.
- 2.The Secretary to the Government
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C.V.KARTHIKEYAN, J.

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