



W.P.(MD) Nos.10181of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) Nos.4133, 4351, 4355 and 10181 of 2020
and WMP (MD) Nos. 3488, 3656, 3658, 3662, 3663, 9055, 9056, 10547 and
16428 of 2020

WP(MD) No.4133/2020

The Manager/ Correspondent
S.U.M.Higher Secondary School
Rayappanpatty
Theni District. 625 526

... Petitioner

-VS-

- 1.The State of Tamil Nadu
Represented by its Secretary
Department of School Education,
Fort St. George, Chennai 600 009.
- 2.The Principal Secretary/Commissioner of
Treasuries and Accounts,
Integrated Office complex of Finance Department
Nandanam, Chennai.600 035.
- 3.The Director of School Educatio,
College Road, Chennai.



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4. The Chief Educational Officer,
Theni, Theni District.

5. The District Educational Officer,
Uthammapalayam,
Theni District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned proceedings of the 3rd respondent Director of School Education in R.C.No.0012/PA/JDS/2018 dated ..09.2018 and quash the same so far as the petitioner's school is concerned.

For Petitioner	:	Ms.Rooshi Maas for M/s.Isaac Chambers
For Respondents	:	Mr.S.Saji Binu Special Government Pleader

WP(MD) No.4351/2020

The Superintendent of Schools
Office of the superintendent of Schools
Roman Catholic Diocese of Kottar
Assisi Campus, Nagercoil, Kanyakumari District

... Petitioner

-VS-

1. The State of Tamil Nadu
Represented by its Secretary
Department of School Education,
Fort St. George, Chennai 600 009.



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2. The Principal Secretary/Commissioner of
Treasuries and Accounts,
Integrated Office complex of Finance Department
Nandanam, Chennai.600 035.

3. The Director of School Education,
College Road, Chennai.

4. The Treasury Officer,
District Treasury, Nagercoil
Kanyakumari District.

5. The Chief Educational Officer,
Kanyakumari District at Nagercoil
Kanyakumari District.

6. The District Educational Officer,
Nagercoil
Kanyakumari District.

7. The District Educational Officer,
Kuzhithurai
Kanyakumari District.

8. The District Educational Officer,
Thuckalai
Kanyakumari District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned proceedings of the 3rd respondent Director of School Education in



W.P.(MD) Nos.10181of 2020

R.C.No.0012/PA/JDS/2018 dated ..09.2018 and quash the same so far as the petitioner's schools are concerned.

For Petitioner : Ms.Rooshi Maas for
M/s.Isaac Chambers
For Respondents : Mr.S.Saji Binu
Special Government Pleader

WP(MD) No.4355/2020

The Correspondent
Malankara Syrian Catholic Schools
Diocese of Marthandam
HOM Buildings, Kuzhithurai
Kanyakumari District. 629 163.

... Petitioner

-VS-

- 1.The State of Tamil Nadu
Represented by its Secretary
Department of School Education,
Fort St. George, Chennai 600 009.
- 2.The Principal Secretary/Commissioner of
Treasuries and Accounts,
Integrated Office complex of Finance Department
Nandanam, Chennai.600 035.
- 3.The Director of School Education,
College Road, Chennai.
- 4.The Treasury Officer,
District Treasury, Nagercoil
Kanyakumari District.



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5.The Chief Educational Officer,
Kanyakumari District at Nagercoil
Kanyakumari District.

6.The District Educational Officer,
Thuckalay, Kanyakumari District.

7.The District Educational Officer,
Kuzhithurai
Kanyakumari District.

8.The District Educational Officer,
Thiruvattar
Kanyakumari District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned proceedings of the 3rd respondent Director of School Education in R.C.No.0012/PA/JDS/2018 dated ..09.2018 and quash the same so far as the petitioner's school is concerned.

For Petitioner : Ms.Rooshi Maas for
M/s.Isaac Chambers

For Respondents : Mr.S.Saji Binu
Special Government Pleader

WP(MD) No.10181/2020

Kasturiba Middle School
Theroor, Suchindram Via
Kanyakumari District rep. By
its Secretary

... Petitioner



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-VS-

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1. The Government of Tamil Nadu
Represented by its Secretary
Department of School Education,
Fort St. George, Chennai 600 009.
 2. The Director of school Education,
College Road, Chennai 600 009.
 3. The Principal Secretary / Commissioner of
Treasuries and Accounts,
Integrated Office Complex of Finance Department
Nandanam, Chennai 600 035.
 4. The Director of Elementary Education,
DPI Campus,
college Road, Chennai 600 006.
 5. The District Educational Officer,
Nagercoil
Kanyakumari District.
 6. The Regional Education Officer,
Suchindram, Kanyakumari District.
- ... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records pertaining to the impugned proceedings of the 2nd respondent dated .09.2018 under Reference R.C.No.0012/PA/JD8/2018 and consequential communication pursuant to the same by the 6th respondent to the petitioner dated 10.08.2020 under Reference Na.Ka.No.691/A4/2018 and subsequently quash the same as



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illegal and devoid of merits forthwith.

For Petitioner : Mr.S.Palanivelayutham
For Respondents : Mr.S.Saji Binu
Special Government Pleader

COMMON ORDER

These writ petitions were filed challenging the proceedings of the the Director of School Education dated nil 09.2018.

2. It is the case of the petitioners that the petitioners are Secretaries of the respective Schools. The schools are recognized under the Tamil Nadu Private Schools (Regulation) Act, 1973. It is the case of the petitioners that as per Section 19 of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1974, the minority institutions are vested with absolute powers of administration and the Secretary/Correspondent of the school is responsible for overall administration of the school, such as submitting bills for teachers, staffs and for claiming grant-in-aid etc. However, vide impugned order dated nil .09.2018, the power has been dispensed with and hence, the petitioners are before this Court with these



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writ petitions challenging the impugned order.

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3. It is submitted that during the pendency of the writ petitions, the Government have given powers to the Correspondent/Secretaries of the School, who shall continue to exercise the powers, vide order dated 30.11.2021 and the same was also reiterated vide proceedings of the Joint Director dated 07.04.2022. Hence, in view of the subsequent development, no further orders are necessary to be passed in these writ petitions. Accordingly, these writ petitions become infructuous and the same are dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

23.01.2023

NCC : Yes/No
Index : Yes/No

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To

- 1.The Secretary
Department of School Education,
Fort St. George, Chennai 600 009.
- 2.The Director of school Education,
College Road, Chennai 600 009.
- 3.The Principal Secretary / Commissioner of
Treasuries and Accounts,
Integrated Office Complex of Finance Department
Nandanam, Chennai 600 035.
- 4.The Director of Elementary Education,
DPI Campus,
college Road, Chennai 600 006.
- 5.The District Educational Officer,
Nagercoil
Kanyakumari District.
- 6.The Regional Education Officer,
Suchindram, Kanyakumari District.
- 7.The Treasury Officer,
District Treasury, Nagercoil
Kanyakumari District.
- 8.The Chief Educational Officer,
Kanyakumari District at Nagercoil
Kanyakumari District.
- 9.The District Educational Officer,
Nagercoil Kanyakumari District.



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10.The District Educational Officer,
Kuzhithurai
Kanyakumari District.

11.The District Educational Officer,
Thuckalai
Kanyakumari District.

12.The District Educational Officer,
Thiruvattar
Kanyakumari District.

13.The Chief Educational Officer,
Theni, Theni District.

14.The District Educational Officer,
Uthammapalayam,
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M.DHANDAPANI, J.

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