



W.P.(MD) No.11488 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.05.2023

CORAM:

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.11488 of 2023

and

W.M.P.(MD) Nos.9968 and 9969 of 2023

S.Abdul Kader,
Correspondent, Brilliant Matriculation School,
No.82, West Malampatti Street,
Krishnapuam, Kadayanallur,
Tenkasi District.

.. Petitioner

Vs

- 1.The Director of Private Schools of Tamilnadu,
Chennai-600 006.
- 2.The District Educational (Private Schools) Officer,
Tenkasi District,
Tenkasi.
- 3.The Commissioner,
Kadayanallur Municipality,
Kadayanallur,
Tenkasi District.
- 4.The Deputy Director of Town and
Country Planning Authority,
Tirunelveli District.



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5. The Director of Matriculation Schools,
Chennai-600 006.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records of the impugned order of the 1st respondent in Na.Ka.No.916/A3/2022 dated 30.03.2023 and the consequent impugned order of the 2nd respondent in Na.Ka.No. 22/A1/2022 dated 13.04.2023 and quash the same.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondents : Mr.R.Baskaran
Additional Advocate General
assisted by
Mr.V.Nirmalkumar
Government Advocate

ORDER

Heard Mr.G.Prabhu Rajadurai, learned counsel appearing for the petitioner and Mr.R.Baskaran, learned Additional Advocate General, assisted by Mr.V.Nirmalkumar, learned Government Advocate for the respondents.



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2. By the impugned proceedings, recognition given to the petitioner-School has been taken away. A direction has been issued for accommodating the students in other institutions. The said orders are under challenge on the grounds set out in the affidavit filed in support of the writ petition. Learned counsel appearing for the petitioner reiterated all of them.

3. I called upon the learned counsel for the petitioner to furnish the copy of the order whereby planning permission and building permission was granted. No such order has been produced before me. Therefore, the recitals and reasons set out in the impugned proceedings cannot be controverted. It is seen that recognition was given only in the year 2019. The school itself is being run only on a land measuring an extent of 55 cents.

4. After careful consideration of the entire materials on record, I have to necessarily sustain the stand of the learned Additional Advocate General that if the impugned orders are interfered with, that would



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amount to perpetuating an illegality. No interference is called for. This Writ Petition is therefore, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

11.05.2023

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

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G.R.SWAMINATHAN, J.

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