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W.P.(MD)NO.20336 OF 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No20336 of 2017 AND

W.M.P.(MD)No.16596 of 2017

T.Namperumal

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Secretariat, Chennai.
2. The Director of Elementary Education,
Directorate of School Educational Department,
College Road, Chennai-6.
3. The District Elementary Educational Officer,
O/o.The District Elementary Educational Office,
Palani Road,
Dindigul Town & District.
4. The Assistant Elementary Educational Officer,
O/o.The Assistant Elementary Educational Office,
Palani Road, Dindigul Urban,
Dindigul District.

5. T.Ramakrishnan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned



proceedings of the 3rd respondent dated 26.04.2017 in O.Mu.No.639/Aa3/2017 and the consequential order of the 4th respondent dated 16.05.2017 in A.Thi.Mu.No.17/A1/2017 and quash them both and consequently issue a direction to the respondents to grant approval to the proposal submitted by the petitioner dated 27.02.2017 for the newly constituted school committee of Thiru.Namperumal Middle School, Dindigul.

For Petitioner : Mr.N.Dilip Kumar

For R-1 to R-4 : Mr.M.Sidharthan,
Additional Government Pleader.

For R-5 : Mr.Mohamed Sohail,
M/s.Ajmal Associates.

* * *

ORDER

Heard the learned counsel on either side.

2. The case on hand pertains to approval of the school committee for the period from 01.11.2017 to 31.12.2019. The said period has since expired. Subject to the outcome of the civil suit filed by the fifth respondent, the petitioner can function as an educational agency. The suit has been ordered



to be disposed within eighteen months.

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3. The petitioner is directed to submit a fresh application for approval of the new school committee. The fifth respondent shall be one of the members of the school committee to be constituted by the writ petitioner in his capacity as an educational agency. Upon submission of such an application it shall be approved by the third respondent. Since the writ petition filed in respect of the constitution of the school committee has already been disposed of, the department will withdraw the direct payment system and restore the management of the school to the writ petitioner forthwith and without any delay, on submission of the application seeking approval of the institution of the school committee for a period from 03.10.2023 to 02.10.2026. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

25.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN,J.

PMU

To:

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