



W.P.No.1876 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1876 of 2023

All India Private Schools Legal Protection Society,
No.9, North Jegannathan Nagar, 1st Street,
Villivakkam, Chennai 49,
Rep. by its Chairman,
I.Manoharan Jeyakumar,
S/o. Issac.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai-600 009.

2. The Commissioner,
Directorate of school Education,
DPI Campus, College Road,
Chennai-600 006.

3. The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai 600 006.

4. The Joint Director of Matriculation School,
Directorate of Matriculation Schools,
DPI Campus, College Road,
Chennai-600 006.



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5. The District Educational Officer (Private Schools),
Thiruvallur District, Thiruvallur.

6. The District Educational officer (Private Schools),
Virudhunagar District,
Virudhunagar.

7. Sudha,
Superintendent,
Office of Director of Matriculation School,
DPI Campus, College Road,
Chennai-600 006.

(R7 deleted from the array of respondents vide order dated 27.01.2023
made in WP.1876/2023 by CVKJ) ... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to pass appropriate orders to consider the application submitted by the petitioner schools for renewal of recognition without insisting ownership/ lease deed in favour of school for the property stands in the name of Educational Agency and without insisting DTCP approval for school building constructed based on approval granted by Municipality/ Town Panchayat under the provisions of Tamil Nadu District Municipalities Act in consideration of representation submitted by the petitioner Association.

For Petitioner : Mr. G.Sankaran, Senior Counsel for
Mr.S.Nedunchezhiyan

For Respondents : Mrs.P.Rajarajeswari,
Government Advocate (or R1 to R6).



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ORDER

The petitioner is All India Private Schools Legal Protection Society, registered under the Societies Registration Act. The writ of mandamus has been instituted to direct the respondents to pass appropriate orders to consider the applications submitted by the school for renewal of recognition without insisting ownership/ lease deed in favour of school for the property stands in the name of Educational Agency and without insisting DTCP approval for school building constructed based on approval granted by Municipality/ Town Panchayat under the provisions of Tamil Nadu District Municipalities Act in consideration of representation submitted by the petitioner Association.

2. Recognition of a school is an individual grievances of the management of the school and an application along with the documents in the prescribed formats are to be submitted by the school concerned to the competent authority for consideration.

3. Association, representing the school management, cannot be instituted in a writ petition and they cannot be construed as aggrieved



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persons since the petitioner is not an aggrieved person. The individual persons aggrieved are at liberty to institute appropriate proceedings.

4. With these observations, the writ petition stands dismissed.

However, there shall be no order as to costs.

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Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)



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S.M.SUBRAMANIAM. J.,

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