



W.P.Nos.4559 & 4560 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.4559 & 4560 of 2024

Tripthi	..	Petitioner in W.P.No.4559/24
J.Sasiprabha	..	Petitioner in W.P.No.4560/24

Vs.

1. The State of Tamil Nadu
Rep. by Principal Secretary to Government
School Education Department
Secretariat, Chennai 600 009.
2. The Director of School Education
Office of the Directorate of School Education
College Road, Chennai 600 006.
3. The Director of Government Examination
Office of the Directorate of Government Examination
College Road, Chennai 600 006.
4. The Chief Educational Officer
Chengalpattu District
Chengalpattu.
5. The District Educational Officer



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Chengalpattu District
Chengalpattu.

6. The District Collector
Chengalpattu District.
7. The Tahsildar
Vandalur
Chengalpattu District.
8. The Commissioner of Police Tambaram
Office of the Commissioner of Police
Sholinganallur, Chennai 600 119.
9. The Deputy Commissioner of Police
Pallikarani, Melakottiyur
Chennai 600 127.
10. The Assistant Commissioner of Police
Kanathur 603 112.
11. The Inspector of Police
Kelambakkam
Chennai 603 103.
12. St. Mary's Matriculation Higher Secondary School
Rep. by its Principal and Correspondent
No.3/261, Santhan Kuppam
Kelambakkam, Pudupakkam
Chennai 600 103.
13. Phoenix ARC Private Limited
3rd Floor, Wallace Towers, 139-140/B1
Crossing of Sahar Road and Western Express Highway
Vile Parle East
Mumbai, Maharashtra 400 057. .. Respondents



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Prayer: Petitions filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the 13th respondent to break open the illegal lock and seal by the 13th respondent on the premises of the 12th respondent, St Mary's Matriculation Higher Secondary School, situated at No.3/261, Santhan Kuppam, Kelambakkam, Pudupakkam, Chennai 603 103 and consequently, allow the petitioners' sons and other students to take sufficient coaching inside the school premises without any disturbances to write the upcoming Board exams and annual exams conducted by the respondents 1 to 5.

For the Petitioners : Mr.S.Sheik Ismail

For the Respondents : Mr.C.Kathiravan
Special Government Pleader
for Respondents 1 to 7

Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.Sylvester John
for Respondents 8 to 11

Mr.Elayarajakumar
For M/s.Ramalingam
Associates
for Respondent-13

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.S.Sheik Ismail, learned counsel for the petitioners, Mr.C.Kathiravan, learned Special Government Pleader for the respondents 1 to 7, Mr.R.Muniyapparaj, learned Additional Public Prosecutor, assisted by Mr.Sylvester John, learned counsel for the



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respondents 8 to 11 and Mr.Elayarajakumar, learned counsel for the 13th respondent.

2. Learned counsel for the petitioners submits that examinations would conclude on 08.04.2024.

3. The order passed by this Court on 21.02.2024 shall continue till 20.04.2024.

4. We have passed the order considering the interest of the students. The school/institution which has borrowed huge loan cannot take shelter of students. The education department can protect the academic interest of students by accommodating them in other schools. However, a chronic defaulter cannot be protected.

5. On and after 20.04.2024, the respondent bank is entitled to take measures with regard to the secured asset in accordance with law and it is also expected that the law enforcement machinery would cooperate.



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6. The writ petitions are disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.4975 and 4974 of 2024 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

18.03.2024

Index : Yes/No
Neutral Citation : Yes/No
kpl

To

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School Education Department, Secretariat, Chennai 600 009.
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Office of the Directorate of School Education
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