



W.P No.10060 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P No.10060 of 2024

M/s.Punjab Association (Regd)
Rep.by its General Secretary
Mr.Ramesh Lamba, No.14, V.M.Street
Royapettah, Chennai 600 104.

.. Petitioner

-VS-

- 1.The Managing Director
Tamil Nadu Road Development
Company Ltd., No.346, Pantheon Road
Sindhur Pantheon Plaza 2nd Floor
Egmore, Chennai - 600 025.
- 2.The Chief Engineer (H), C&M
2nd Floor, No.76, Sardar Patel Road
Guindy, Chennai - 600 025.
- 3.The Divisional Engineer (NH)
B & Maintenance, Chengalpattu
No.2a, Periyar Nagar,
Chengalpattu - 603 001.
- 4.Assistant Divisional Engineer (NH)
Building and Maintenance, Chengalpet
No.2A, Periyar Nagar, Chengalpattu-603 001.



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5.The Special Tahsildar (L.A.)
I.T.Express Way Scheme
Tambaram, Chennai 600 047.

6.The Chief Educational Officer
Chengalpattu District, Chengalpattu.

7.The District Educational Officer
Chengalpattu Education District
Chengalpattu.

8.The Block Educational Officer
Thiruporur Block
Chengalpattu District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondents 1 to 5 to conduct an enquiry based on the representation dated 07.02.2024 to reconsider the acquisition / demolition of Padma Adarsh Higher Secondary School at vaniyanhavadi, Old Mahaballipuram Road, Chennai- 603 103 and in alternative this honble Court may be pleased to (ii) Directing the Respondents 6 to 8 to take appropriate action to transfer the students and staffs of Padma Adarsh Primary School at Vaniyanhavadi, Old mahaballipuram Road, Chennai- 603 103 to any other Government aided school in lieu of the Land acquisition / demolition proceedings initiated by Respondents 1 to 5.

For the Petitioner : Mr.B.Dinesh Kumar

For the Respondents : Mr.C.Kathiravan
Special Government Pleader,
-for R2 to R8
Mr.M.Sivavarthanam - for R1

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.B.Dinesh Kumar, learned counsel for the petitioner, Mr.C.Kathiravan, learned Special Government Pleader for the respondents 2 to 8 and Mr.Sivavarthanam, learned counsel for the first respondent.

2. Learned counsel for the petitioner submits that the respondents are demolishing the school building for expansion of the road. He further submits that the students are at present studying in the school and if the school building is demolished, it will be prejudicial to the interest of the students.

3. It is not in dispute that from May 2024 the summer vacation would commence. Learned Special Government Pleader would submit that the details of the other buildings wherein the school can be run are given to the learned counsel for the petitioner.



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4. The work for expansion of the road cannot be stalled. The same is also public work. The students' interest needs to be protected and the same is sought to be protected by accommodating them in adjacent building. Be that as it may. It is submitted that the vacation would commence from 1st of May 2024. The respondents may proceed with the work after 01.05.2024. If the petitioner wants to close down the school then the procedure prescribed under the Tamil Nadu Private Schools Regulation Rules 2023 has to be followed.

5. With the above observations, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

17.04.2024

Index : Yes/No
Neutral Citation : Yes/No
kst



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