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W.P.No.35884 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.35884 of 2019
and W.M.P.Nos.36796, 36799 of 2019 & 5001 of 2020

A.Angalaparameswari

...Petitioner

-Vs -

1. The Union of India,
Rep. by the Chief Secretary,
Government of Puducherry,
Chief Secretariat,
Pondicherry.
2. The Appellate Authority – cum-
Secretary to Government,
Education Department,
Government of Puducherry,
Chief Secretariat, Pondicherry.
3. The Director of Education,
Education Department,
Pondicherry – 5.
4. The Chief Educational Officer,
Education Department,
Pondicherry – 5.
5. The Deputy Director (Elementary Education)
Directorate of School Education,
Education Department,
Pondicherry.



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6. E.Pushpalatha

... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders passed by the second respondent/Appellate Authority vide School Education Appeal No.1/2019 dated 09.10.2019 and quash the same and further direct the respondents to sanction recognition for the petitioner school, by considering the proposal submitted by the petitioner.

For Petitioner : Mr.B.Balavijayan
For Respondents
For R1 to R5 : Mr.Syed Mustafa
Special Government Pleader
For R6 : Mr.J.Srinivasa Mohan
For M/s.TVJ Associates

ORDER

This writ petition has been filed for challenging the order dated 09.10.2019, passed by the second respondent, thereby dismissed the appeal and confirmed the order passed by the the fifth respondent dated 25.03.2019, thereby cancelled the approval and also ordered to close the school called Devine English High School, situated at No.31 & 33, II Cross, Sriram Nagar, Kottaimedu, Ariyankuppam, Puducherry.

2. Heard the learned counsel appearing on either side and



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perused the materials placed before this Court.

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3. It is seen that the petitioner and the mother of the sixth respondents are claimed to be the wives of one deceased Elumalai, who owned the school premises and also obtained approval from the authority concerned. After his demise, the petitioner as well as the mother of the sixth respondent failed to produce any title document or release document to renew the approval for the school, due to interstate dispute. Hence, the respondents passed the impugned orders thereby cancelled the approval granted to the said school and also ordered to close.

4. This Court finds no infirmity or illegality in the order passed by the Appellate Authority as well as the fifth respondent. The writ petition is devoid of merits and liable to be dismissed. However, if the petitioner or the sixth respondent or her mother produced a valid title document or release document, the third respondent is directed to consider the same and grant approval for the Devine English High School in accordance with law.

5. Accordingly, the Writ Petition stands dismissed.



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Consequently, connected miscellaneous petitions are closed. There shall
be no orders as to costs.

03.04.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts



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To
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2. The Appellate Authority – cum-
Secretary to Government,
Education Department,
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G.K.ILANTHIRAIYAN. J,

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