



W.P(MD)No.7243 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.7243 of 2017

and

W.M.P(MD)No.1728 of 2018

The Correspondent / Trustee,
Sri Venkatachalapathy Charitable Trust /
Kamaraj Vidyalaya Nursery and Primary School,
Sakthi Vinayagar Kovil Street,
Kumaragiri, Pudukottai,
Thoothukudi District.

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Thoothukudi District,
Thoothukudi.
- 2.The District Educational Officer,
Thoothukudi District,
Thoothukudi.
- 3.The District Elementary Educational
Officer,
Thoothukudi District,
Thoothukudi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus, calling for the



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records relating to the proceedings of the impugned order in Na.Ka.No. 7308/A3/2016, dated 27.01.2017 on the file of the first respondent and quash the same and further directing the respondents to grant recognition for the Kamaraj Vidyalaya Nursery and Primary School in Pudukottai and pass such further or other orders as this Court.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

The present writ petition is filed challenging the impugned order issued by the first respondent in Na.Ka.No.7308/A3/2016, dated 27.01.2017.

2. The petitioner is the Correspondent / Trustee of Sri Venkatachalapathy Charitable Trust. The petitioner started a School for teaching nursery students following Tamil Nadu State Syllabus and is a Non Minority School. On 01.06.2016, the petitioner made an application to the third respondent seeking permission for starting the School. There was no response. Hence, the petitioner filed a writ petition in W.P(MD)No.21843 of 2016 before this Court and the same was disposed of on 15.11.2016, directing the first respondent to consider the petitioner's application within eight weeks. Thereafter, the first



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respondent rejected the petitioner's application stating that the School was situated very near to the National Highways. However, the same was not true. Hence, the present writ petition.

3. The learned Government Advocate for the respondents would submit that temporary recognition of the School is pending consideration and circulated the proceedings, dated 08.07.2024 of the third respondent / District Elementary Educational Officer addressed to the Director of School Education. The learned Counsel for the petitioner would submit that they would confine their prayer for a direction that the grant of temporary recognition may be considered by the Director of School Education, within a stipulated period, to which the learned Government Advocate for the respondents would submit that the Director of School Education would consider and pass orders in accordance with law after putting the petitioner and any other interested parties, if any, on notice, within a period of twelve (12) weeks from the date of receipt of a copy of this order, which was acceded to by the learned Counsel for the petitioner.



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4. Recording the same, the writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

14.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Chief Educational Officer,
Thoothukudi District,
Thoothukudi.
- 2.The District Educational Officer,
Thoothukudi District,
Thoothukudi.
- 3.The District Elementary Educational
Officer,
Thoothukudi District,
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MOHAMMED SHAFFIQ, J.

BTR

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