



W.P(MD)No.18544 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.18544 of 2017 and
WMP(MD) No.14943 of 2017

M.Mohamed Munirtheen

... Petitioner

Vs

- 1.Aruna Visweswar
Senior Principal,
Adhyapana School,
Madurai Dindigul Main Road,
Paravai Post,
Madurai – 625 402.
- 2.The District Collector,
Madurai District,
Madurai – 625 020.
- 3.The District Chief Educational Officer,
Office of District Educational Office,
Tallakulam,
Madurai – 625 002.
- 4.The Regional Director,
Central Board of Secondary Education (CBSE),
New No.3, Old No.1630A,
J Block,
16th Main Road,



W.P(MD)No.18544 of 2017

WEB COPY

Anna Nagar West, Chennai – 600 006.

5.The Director of Elementary Education,
DPI Complex,
College Road, Chennai – 600 006.

6.The Director of School Education,
DPI Complex,
College Road,
Chennai – 600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 2 to 6 to take necessary actions against the respondent No.1 and to ensure the continue study of the petitioner's son M.Azlan Shah in 1st standard in 1st respondent Adhyapanaa School, Madurai – Dindigul Main road, Paravai Post, Madurai – 625 402 under 25% free education.

For Petitioner : No representation
For R1 : Mr.S.Srinivasa Raghavan
For R2,R3,R5 & R6:Mr.G.V.Vairam Santhosh
Additional Government Pleader
For R4 : No appearance

ORDER

The petitioner's son, namely M.Azlan Sha got admission in the first respondent school under 25% free education scheme in the year 2015 under the Right to Education Act. The petitioner's son



W.P(MD)No.18544 of 2017

has studied LKG in the year 2015, UKG in the year 2016. While he was studying first standard in the year 2017, the first respondent has insisted the petitioner's son to pay fee against the guideline under the Right to Education Act and therefore, the petitioner has filed this writ petition for a mandamus directing the official respondents 2 to 6 to take necessary action against the first respondent and to ensure continuous study of his son in the first standard in the first respondent school under the Right to Education Act.

2. When this writ petition was listed for hearing on 03.01.2024, there was no representation for the petitioner. Therefore, this writ petition was ordered to be listed on 05.01.2024 under the caption "for dismissal". Even today, there is no representation for the petitioner.

3. The learned counsel for the first respondent School submits that the petitioner by giving false information has got admission in the school. The petitioner is residing 3 kms away from



W.P(MD)No.18544 of 2017

WEB COPY

the School. The Rules in force provide for distance norms. Therefore, the petitioner is not eligible to get admission in the first respondent School. However, by obtaining false certificate from the Village Administrative Officer that he is residing at Vilankudi within the stipulated distance from the School as per the Rules, the petitioner's son continued to study in the first respondent School. The first respondent only after verification with the authorities concerned that the petitioner is residing at Paravai and not at Vilankudi, has issued a notice to the petitioner to pay necessary fee.

4.In view of the submission made by the learned counsel for the first respondent and considering that there is no representation for the petitioner even after providing sufficient opportunity, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

05.01.2024

NCC: Yes/No
Index: Yes/No
Internet: Yes
vrn



W.P(MD)No.18544 of 2017

WEB COPY To

- 1.The Senior Principal,
Adhyapana School,
Madurai Dindigul Main Road,
Paravai Post,
Madurai – 625 402.
- 2.The District Collector,
Madurai District,
Madurai – 625 020.
- 3.The District Chief Educational Officer,
Office of District Educational Office,
Tallakulam,
Madurai – 625 002.
- 4.The Regional Director,
Central Board of Secondary Education (CBSE),
New No.3, Old No.1630A,
J Block,
16th Main Road,
Anna Nagar West,
Chennai – 600 006.
- 5.The Director of Elementary Education,
DPI Complex,
College Road, Chennai – 600 006.
- 6.The Director of School Education,
DPI Complex,
College Road,
Chennai – 600 006.



WEB COPY



W.P(MD)No.18544 of 2017

B.PUGALENDHI, J.

vrn

Order made in
W.P(MD)No.18544 of 2017 and
WMP(MD) No.14943 of 20177

05.01.2024