



WEB COPY



W.P. No.3051 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.3051 of 2025

Mr.A.Mohandoss
S/o.Antony,
Anand Block 1st Floor,
No.102, Chithra Avenue,
No.9 Choolaimedu High Road,
Chennai 600094.

Petitioner(s)

Vs

- 1.The State Of Tamil Nadu
Represented by the Chief Secretary,
Fort St. George, Chennai 600009.
- 2.The Home Secretary
Government of Tamilnadu,
Secretariat, Chennai 600009.
- 3.The Principal Secretary To Government
Department Of School Education,
Samagra Shksha, Tamil Nadu,
P.A.K.Valagam, College Road,
Nungambakkam, Chennai 600006.
- 4.The Principal Secretary To Government
Department Of Higher Education,



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Fort St. George, Secretariat, Chennai 600009.

WEB COURT

5. The Correspondent / Principal/ Headmaster,
St.Marys Matriculation Higher
Secondary Private School,
Vikravandi Villupuram Nh-45,
Tiruchi Chennai Highway,
Villupuram, 605652.

Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st to 4th respondents to consider petitioner's representation dated 06.01.2025 and constitute a Special Investigation Team (SIT) headed by a retired Judge of this Court along with eminent and efficient retired IAS and IPS officers of Education and Home Department to conduct a free, fair and impartial investigation and thorough survey or enquiry all the government, government aided and private school premises all over the state to find its violations and negligence on safety measurements including the 5th Respondent recent death at St.Mary's Matriculation Higher Secondary Private School at Vikravandi in Villupuram on 04.01.2025.

For Petitioner(s) : Mr. G.S.Mani

For Respondent(s) : Mr.A.Edwin Prabakar
State Government Pleader
Assisted by
Mr.Karthik Jagannath
Government Advocate
(for R1 to R4)



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ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

When we observed that petitioner should have at least given a reasonable time to respondents to respond, because it is averred in the petition that notice was sent on 06.01.2025, which was allegedly received on 07.01.2025, and affidavit in support has been affirmed on 13.01.2025, 11.01.2025 and 12.01.2025 were Saturday and Sunday, respectively, and expressed our view that this is nothing but abusing the process of public interest litigation as petitioner did not even have the patience to give at least a couple of weeks for respondents to respond, Mr.G.S.Mani sought leave to withdraw the writ petition.

2. Shri Prabakar states, notwithstanding the above order, respondents will respond to the notice received within one week from today and if petitioner is able to meet the concerned officers highlighting the problems, the issues will certainly be looked into and addressed.

3. Shri Prabakar states, as regards the incident mentioned in the petition, which is the subject matter of the petition, a private petition was



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filed being W.P.No.1437 of 2025 by the father of victim and the petition has been disposed of. It will be apposite to reproduce paragraph Nos.5 and 6 of the order dated 13.02.2025:

“5. The learned Government Advocate submitted that on verification of the CCTV footage, it is found that the daughter of the petitioner, while going to restroom, fell down in the septic tank, which was not covered by the school management. Therefore, after registering FIR under Section 194 (1) of the BNSS, 2023, it was rightly altered into for the offences under Section 105 of the BNS and the police have arrested three accused persons. Subsequently, they were released on bail. That apart, now the investigation is conducted by the DSP, Vikravandi Villupuram District. In the entire investigation, 23 witnesses have been examined and he is about to complete the investigation and to file a final report. He further submitted that at this stage, change of investigation will affect the investigation done by the DSP, Vikkiravandi, Villuppuram.

6. In view of the submissions made, this Court finds no ground to transfer the investigation in Crime No.6 of 2025 to any other investigation agency since already the DSP, Vikkiravandi, Villuppuram, is investigating the case. The DSP, Vikkiravandi, Villuppuram District, is directed to complete the investigation and file the final report in Crime No.6 of 2025, within a period of 12 weeks from the date of receipt of a copy of this order. Further, the fourth respondent is directed to furnish a copy of the CCTV footage to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.”

4. Shri Prabakar states that police are in the process of filing a charge sheet as investigation has been completed.



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Petition is dismissed as withdrawn. There shall be no order as to

costs.

(K.R.SHRIRAM, CJ)

(MOHAMMED SHAFFIQ.J.)

27.03.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl/mka

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