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W.P.No.6767 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.6767 of 2025

Minerva Vidya Mandir
Rep. by its Correspondent
Thimiri,
Ranipet District – 632 512.

... Petitioner

Vs.

1.Secretary to Government,
School Education Department,
Fort St.George,
Chennai – 600 009.

2.The Chief Educational Officer,
Ranipet District,
Ranipet – 632 401.

3.The District Educational Officer (Private Schools),
Ranipet District,
Ranipet – 632 401.

4.The Project Director,
Samagra Shiksha,
DPI Campus,
College Road,
Chennai – 600 034.

5.S.Mars

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Mandamus directing the respondents 1 to 4 to forthwith disburse the fees payable to the petitioner School for the admission and schooling of the students under the Right to Education norms for the academic years 2017 – 18 (Rs 88,869) and 2018 – 19 (Rs 65,137) totalling Rs 1,54,006 with interest payable at 9% per annum from the end of the respective academic year till the date of payment.

For Petitioner : Mr.P.Srinivas
For Respondents : Ms.S.Mythreye Chandru for R1 to R4
Special Government Pleader

O R D E R

The writ petition has been filed seeking issuance of Writ of Mandamus directing the respondents 1 to 4 to forthwith disburse the fees payable to the petitioner School for the admission and schooling of the students under the Right to Education norms for the academic years 2017 – 18 (Rs.88,869/-) and 2018 – 19 (Rs.65,137/-) totalling Rs.1,54,006/- with interest payable at 9% per annum from the end of the respective academic year till the date of payment.

2.The learned counsel appearing for the petitioner would submit that the petitioner School was started in the year 2000 for the classes LKG to V Standard and they cater to the educational needs of the poor students of the Timiri Town and there were some civil dispute among



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the owners in respect of Kavanoor premises of the petitioner School.

The learned counsel would further submit that while they were running the School at Kavanoor Road, the fourth respondent sponsored the students under the RTE for 2017 – 2018 and 2018 – 2019. It is the submission of the learned counsel that for the above two academic years, the respondents have not settled the amount and in this connection they are bound to pay a sum of Rs.1,54,006/-. Hence prayed to issue appropriate direction.

3.This submission was strongly objected by the learned Special Government Pleader and she would contend that the petitioner School was originally recognized under the Tamil Nadu Private School Regulation Act but not renewed from the year 2007. Therefore by virtue of Section 18 of the Right of Children to Free and Compulsory Education Act, 2009 [hereinafter called as the 'Act'], the petitioner is not entitled to run any School. Therefore, the question of granting the amount under RTE norms does not arise. Hence prayed to dismiss the writ petition.

4.I have given my anxious consideration to either side submissions.

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5.The main contention put forth by the learned Special Government Pleader was that the petitioner Institution was recognized by the respondents and their recognition was not extended beyond January, 2007. Therefore, the very existence of the School is in contravention to the Act, which submission was strongly objected by the learned counsel appearing for the petitioner and his contention is that the students whom they have referred in the typed set of papers were sponsored by the fourth respondent. While perusing the counter statement, the respondent has not disputed such sponsor of the fourth respondent. The learned counsel appearing for the petitioner also relied upon the District Educational Officer's letter dated 28.02.2016, wherein it refers that temporary recognition was granted to the petitioner and also submitted that the EMIS number mentioned against each student would only be given by the respondents 1 to 3 based upon the sponsorship made by the fourth respondent.

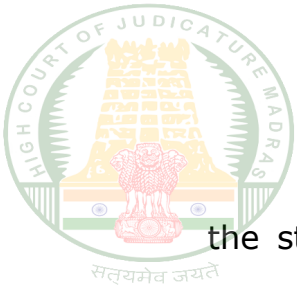
6.These are all vindicate that the claim in respect of the petitioner for 2017 – 2018 students has arisen based upon the sponsorship made by the fourth respondent, however, this Court cannot lose sight of the letter of the Chief Educational Officer dated



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08.11.2018, wherein, the Chief Educational Officer has mentioned since 2007, the petitioner Institution was not provided with any recognition. Therefore, ordered to close the institution vide order dated 08.11.2018. Therefore, it is amply clear that the petitioner institution was closed with effect from 08.11.2018.

7.Now the claim of the petitioner deals about the RTE amount for 2017 – 2018 and 2018 – 2019. We have already found that through the letter dated 08.11.2018, the petitioner's School recognition was cancelled and ordered to close the School. Therefore, the question of claiming any amount after November, 2018 does not arise, whereas, until November, 2018 the petitioner is entitled to have a claim under the Right to Education norms. However, as rightly submitted by the learned Special Government Pleader, there are no proof available before this Court as to the sanctioning of those candidates by the fourth respondent, but the learned counsel would rely upon the counter statement of the respondent, where there is no serious dispute. Though such defence has got some probability to accept the petitioner's case, since public money involves, this Court deems it appropriate to direct the respondents to pay the petitioner's amount under the RTE norms upto November, 2018 subject to the proof that



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the students who are referred to in the typed set of papers for the academic year 2017 – 2018 were sponsored by the fourth respondent.

8.With the above direction, the writ petition is disposed of. No costs.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Secretary to Government,
School Education Department,
Fort St.George,
Chennai – 600 009.
- 2.The Chief Educational Officer,
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C.KUMARAPPAN,J.
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