



W.P.No.12059 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.12059 of 2025
and WMP.Nos.13627 & 13628 of 2025

The Correspondent
Little Pumpkin Play School
No.43, 6th Cross street,
2nd main road,
EVP Santhosh Nagar,
Ramapuram, Chennai.

... Petitioner

Vs

1. The State of Tamil Nadu
Rep.by its Principal Secretary,
Department of School Education,
Fort.St.George, Chennai 600 006.
2. The Director of Private Schools,
Directorate of School Education
College Road, Chennai 600 006.
3. The Chief Educational Officer,
Egmore, Chennai 600 008.



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4. The District Educational Officer

Private Schools,

Egmore, Chennai 600 008.

Respondents

....

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari to call for the records relating to the impugned order issued by the 4th respondent District Educational Officer in Na.Ka.No.997/A4/2025 dated 03.03.2025 withdrawing recognition of the petitioner school and to quash the same.

For Petitioner : Mr.P.Godson Swaminathan
for Isaac Chambers

For Respondents : Mr.L.S.M.Hassan Fazil
Additional Govt. Pleader for R1 to R4
Mr.V.R.Appaswamee for R5

ORDER

This writ petition is filed for a writ of certiorari to call for the records relating to the impugned order issued by the 4th respondent District Educational Officer in Na.Ka.No.997/A4/2025 dated 03.03.2025 withdrawing recognition of the petitioner school and to quash the same.



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2. The petitioner school was established in the year 2013. The 4th respondent in his proceedings dated 12.09.2017 granted recognition for the school from 16.06.2015 to 15.06.2018. The recognition was extended vide proceedings of the 4th respondent dated 12.09.2017 from 16.06.2015 to 15.06.2018. Subsequently, the recognition was further extended by the order of the District Educational Officer in Mu.Mu.No.0260/A4/2019 proceeding dated 31.05.2019 from 16.06.2018 to 31.05.2019. Thereafter, the District Educational Officer vide order dated 25.07.2024 granted recognition for the period from 16.06.2024 to 15.06.2027.

3. The petitioner school is a play school offering education up to the level of UKG. In the year 2021, one Mr.M.Loganathan purchased property with the building which is located opposite to this play school and started raising unwanted issued in relation to the petitioner's play school. The 4th respondent vide order dated 06.09.2024 issued a show cause notice that the school has violated Rule 38 of the Tamil Nadu Private Schools (Regulations) Rules 2023, and that the school does not confirm to Rule 8(2) (a) and (b) of Tamil Nadu Private Schools (Regulations) Rules 2023.



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In the show cause notice it was stated about the order of this Court in W.P.No.12865 of 2024. The respondents misconstrued the order of the First Bench in W.P.No.12865 of 2024 and started to enquire on a different line. Further the petitioner school has satisfied all the requirements that are enumerated for granting recognition for the school. The petitioner school submitted explanation on 20.09.2024 to the show cause notice dated 06.09.2024 that there is no violation as alleged in maintaining infrastructure and running the school. Thereafter, the 4th respondent passed an impugned order dated 03.03.2025 withdrawing the recognition granted to the school by invoking Section 10 of the Tamil Nadu Private Schools (Regulation) Act, 2018 and Rules 11 and 38 of the Tamil Nadu Private Schools (Regulation) Rules, 2023, stating that the school has not responded to the show cause notice within the time limit. The petitioner states that out of three notices referred in the impugned order, explanation was given to the first and the last one. The second notice was not even served on the petitioner. The last notice was responded to by giving explanation dated 27.02.2025. Aggrieved by the impugned order, the petitioner has filed the present writ petition.



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4. The learned counsel for the petitioner submitted that the impugned order deserved to be set aside on the ground that after threshold for non considering the explanation submitted by the petitioner school to the show cause notice dated 06.09.2024. The petitioner submitted a reply on 20.09.2024 and the same was also received by the respondents which is evident from the seal of the respondents affixed in the reply. The learned counsel further states that on 26.02.2025 reminder to the show cause notice was issued by the 4th respondent in pursuant of the notice dated 06.09.2024 and the petitioner had sent a detailed reply on 27.02.2025 and even that was not considered by the respondents.

5. Heard both sides and perused the materials available on record.

6. As rightly contended by the learned counsel for the petitioner there is contrary to the petitioner's explanation to the show cause notice dated 06.09.2024 and reminder notice dated 26.02.2025. The petitioner sent explanation on 20.09.2024 to the first show cause notice dated



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06.09.2024 and the same was received by the respondents and it is evident from the seal affixed in the reply. The petitioner also submitted a reply on 27.02.2025 to the reminder letter dated 26.02.2025, however for the said reply there is no proof. In any event the 4th respondent in his remainder letter dated 26.02.2025 called upon the petitioner to submit his reply to the show cause notice dated 06.09.2024 and 12.09.2017 assuming that the petitioner has not replied to the second show cause notice dated 06.09.2024. The petitioner had replied to the first show cause notice dated 12.09.2017 and to the show cause notice dated 06.09.2024 explanation was given by the petitioner on 20.09.2024 and thereafter after a lapse of six months the respondents passed an impugned order. Therefore the impugned order is total non application of mind and the respondents failed to note that for the purpose of rejecting the reply, the respondents states that the reply was submitted belatedly.

7. For the purpose of complying statutory provisions, the respondents gave one month time which is not a true statement of facts. Therefore, the impugned order cannot be sustained as it is not only non



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speaking order but also total non application of mind. Therefore, the impugned order is remitted back to the first respondent for fresh consideration. The petitioner is directed to submit a fresh representation within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the 4th respondent shall give an opportunity of personal hearing and consider and pass orders on merits and in accordance with law within a period of eight weeks thereafter. No costs.

8. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

29-04-2025

dpq
Index: Yes/No
Speaking order / Non speaking order

7/17



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Rep.by its Principal Secretary,
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dpq

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WP No. 12059 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 12059 of 2025

AND

WMP NO. 13628 OF 2025, WMP NO. 13627 OF 2025

1. The Correspondent

Little Pumpkin Play School, No.43, 6th
Cross Street, 2nd Main Road, Evp
Santhosh Nagar, Ramapuram, Chennai.

Petitioner(s)

Vs

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Department Of School Education, Fort
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2.The Director Of Private Schools

Directorate Of School Education,
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3.The Chief Educational Officer

Egmore, Chennai-600 008.

4.The District Educational Officer

Private Schools, Egmore, Chennai-600
008.

5.L.Hemalatha

W/o.M.Loganathan, No.46, 6th Cross
Street, 2nd Main Road, Evp Santhosh
Nagar, Ramapuram, Chennai.

Respondent(s)



WMP No. 13628 of 2025

1. The Correspondent

Little Pumpkin Play School, No.43, 6th
Cross Street, 2nd Main Road, Evp
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Petitioner(s)

Vs

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Egmore, Chennai-600 008.

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5.L.Hemalatha

W/o.M.Loganathan, No.46, 6th Cross
Street, 2nd Main Road, Evp Santhosh
Nagar, Ramapuram, Chennai.

Respondent(s)

WMP No. 13627 of 2025

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Vs

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W/o.M.Loganathan, No.46, 6th Cross
Street, 2nd Main Road, Evp Santhosh
Nagar, Ramapuram, Chennai.

Respondent(s)

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For Petitioner(s): Mr.P.Godson Swaminathan for
Isaac Chambers

For Respondent(s): Mr.L.s.m.hasan Fazil
Addl.govt.pleader R1 To R4
M/s.V.R.Appaswamee, V.
Vijayrajan,s. Thiyagarajan, A.
Tamilselvan For R5

ORDER

The above writ petition is listed today under the caption "For Being
Mentioned" at the instance of the learned counsel for the 5th respondent.



2.The learned counsel for the 5th respondent submitted that this Court, vide order dated 29.04.2025, disposed of the aforesaid writ petition. However, the 5th respondent, namely, ***Mrs.L.Hemalatha, W/o.Mr.M.Loganathan, No.46, 6th Cross Street, 2nd Main Road, EVP Santhosh Nagar, Ramapuram, Chennai,*** has not been shown in the cause title and hence, prayed for appropriate orders.

3.It is seen that in the order dated 29.04.2025, due to inadvertence, the name of the 5th respondent is found to be omitted to be typed. Hence, the Registry is directed to incorporate the 5th respondent in the order dated 29.04.2025, wherever necessary, and issue fresh order copy forth with to the parties concerned.

20-11-2025

AP

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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W/o.M.Loganathan, No.46, 6th Cross
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WMP No. 13628 of 2025

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