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Rev.Appl.No.339 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

Rev.Appl.No.339 of 2024

Abhijay Matriculation School
No.203 & 204, Vignarajapuram 6th Cross Street
Vengaivasal, Chennai – 600 073
Rep. By its Correspondent
G.Deivasigamani, S/o. A. Gopal. .. Applicant

Vs.

1. The Principal Secretary
School Education Department
St. George Fort, Chennai – 600 009.
2. The Commissioner
School Education Department
DPI Campus, College Road
Chennai – 600 006.
3. The Director of Matriculation Schools
DPI Campus, College Road
Chennai – 600 006.
4. The Chief Educational Officer
Chengalpet District.
5. The District Educational Officer
Chrompet Educational District
Chrompet. .. Respondents

Prayer: Review Application filed under Order XLVII Rule 1 & 2 r/w
Section 114 of the Civil Procedure Code, to review the order made
in W.A.No.222 of 2022 dated 09.07.2024.



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For the Applicant : Mr.A.Palaniappan
for Mr.V.Viswanathan

For the Respondents : Mr.J.C.Durairaj
Additional Government Pleader

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

This review application has been filed against the order passed by the Division Bench of this Court dated 09.07.2024 in W.A.No.222 of 2022.

2. By the order dated 09.07.2024, which is in fact a common order, the Division Bench of this Court rejected the plea raised by the School Management, who are the respondents in the writ appeal and in whose favour though an order has been passed by the Writ Court, the same was modified by the Division Bench by allowing the writ appeals filed by the respondent Government.

3. The sum and substance of the issue is whether the revision petitioner, who was the petitioner before the Writ Court and respondent before the Division Bench, being a School Management, is entitled to get upgradation from Primary School, that is from 5th Standard, to Middle School, that is upto 8th Standard. In order to consider the said plea, whether the School Management was having



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the necessary land parcel, which is the minimum requirement, was the criterion considered by the School Education Authorities, where, admittedly, the School Management was having only 4800 Sq. Ft. of land, where, built-up area is 3000 Sq. Ft. of the said land.

4. With this parcel of land, whether such request could be successfully made by the School Management was the question answered by the Division Bench.

5. Even for running a School upto 5th Standard, whether 4800 Sq. Ft. of land is enough itself is a question. Assuming that the School is already permitted to run upto 5th Standard and for upgrading the School to run upto 8th Standard, being a Middle School, this parcel of land is thoroughly not an adequate one and therefore, we find no fault with the respondent Department in rejecting the said plea.

6. Hence, this issue, since has been considered in proper perspective by the Division Bench who passed the order dated 09.07.2024, which is sought to be reviewed herein, we do not find any reason to interfere with the same by exercising the review jurisdiction of this Court.



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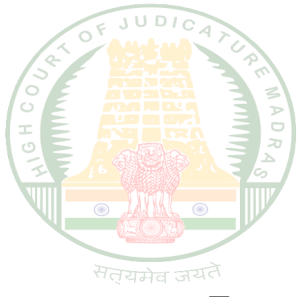
7. Therefore, this review application deserves to be dismissed.

Accordingly, the same stands dismissed. However, there shall be no order as to costs.

(R.S.K., J.) (K.B., J)
21.03.2025

Neutral Citation:Yes/No

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R. SURESH KUMAR, J.
AND
K.KUMARESH BABU, J.
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