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W.P.No.42273 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.42273 of 2025

R.K.K.Veenakumari

... Petitioner

Vs

1. The District Educational Officer (Private School),
Ondipadur, Coimbatore – 600 016,
also having address at:
XXW6+2MX, Raja Street,
Coimbatore – 641 001.

2. M/s.Vivekalaya Matriculation School,
Educational Institution,
Door No.1602, Trichy Road,
Coimbatore – 18.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for an issuance of Writ of Mandamus, to direct the 1st respondent to take action and conduct inquiry on the basis of the representation of the petitioner dated 24.06.2025.

For Petitioner : M/s.Mehek Asrani

For Respondents : Mr.A.M.Ayyadurai

Government Advocate for R1

: M/s.R.S.Niranjan for R2



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ORDER

This writ petition is filed for a mandamus to direct the 1st respondent to take action and conduct an enquiry in a time bound manner on the representation of the petitioner dated 24.06.2025.

2. Upon perusing the affidavit, hearing the learned Counsel for the petitioner and perusing the representation, it is the contention of the petitioner that the petitioner is the Co-owner of the property comprised in Door No.1602, Trichy Road, Coimbatore. While so, the 2nd respondent/school is located in the said property. It is the contention of the petitioner that her mother had only a life estate and during her life, the mother had executed a registered Lease Deed in favour of the 2nd respondent / school. On the passing away of the petitioner's mother, the lease has to be determined, as the petitioner's mother could not have alienated leasehold rights beyond her lifetime. The petitioner has not given any consent. Her sister, being the person who is running the school is enjoying the property as if it is her own property. Rule 8 of the Tamil Nadu Private Schools (Regulation) Rules deals with the grant of certificate of recognition. As per Rule 8(6)(c), the land of the school shall be owned or held in lease by the educational agency, by a valid registered document. In the instant case, the lease can no more be held to be a valid lease. In view thereof, it is incumbent on the Authority to conduct an inquiry in the matter and decide



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the issue. The authority is also entitled to withdraw the recognition as per the provisions of the Act. This apart Section 30 of the Tamil Nadu Private Schools (Regulation) Act, 2018 also places an embargo on the alienation. Therefore, the 1st respondent being the agency that granted the recognition to the school, is liable to look into the representation of the petitioner and decide the issue.

3. *Mr.A.M.Ayyadurai*, learned Government Advocate is appearing on behalf of the 1st respondent.

4. *Mr.R.S.Niranjana*, learned Counsel appearing on behalf of the 2nd respondent / School would submit that in this case, there is a valid lease that is executed and that is in force as on date. There are civil disputes pending between the petitioner and her sister / the correspondent of the 2nd respondent / School. The entire fact as to the pendency of the civil litigation has been suppressed in the affidavit filed along with the writ petition. O.S.No.774 of 2022 is filed for permanent injunction restraining the petitioner's sister and the school from altering the physical structures in respect of the very same property and the same is pending on the file of the learned Principal Subordinate Judge, Coimbatore. The petitioner has already filed a suit for partition and all other consequential relief including the cancellation of Lease Deed which includes the subject matter property also in O.S.No.1336 of 2025 and



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the same is pending on the file of the IVth Additional District, Judge, Coimbatore. A suit is also filed with reference to the ancillary relief of cancellation of a power of attorney and the same is pending in O.S.No. 1827 of 2025 on the file of the Additional District Munsif Court, Coimbatore. In view thereof, the writ petition itself has to be dismissed for suppression of material facts; and is also not maintainable; and it is not for the educational agency to pronounce on all these facts.

5. I have considered the rival submission made on either side and perused the material records of the case.

6. Firstly, with reference to the grievance that is expressed in relation to Section 30 of the Tamil Nadu Private Schools (Regulation) Act, 2018, it can be seen that the embargo that is imposed by Section 30 of the Tamil Nadu Private Schools (Regulation) Act, 2018 is with reference to the educational agency and will not in any manner concern the petitioner. As far as the petitioner is concerned, the grievance seems to be that, the title has been overlooked in respect of the property. For that, the petitioner has already filed suit for partition, suit for injunction, etc and the same are pending before the civil Court. It is for the civil Court to grant such relief to the petitioner and the educational agency cannot be dragged into the whole issue. It can be seen that



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when the mother was having life estate having the possessory rights, she has parted with the same by executing a valid Lease Deed. Therefore, if the petitioner want separate possession of property, her relief is only before the civil Court, she has already approached. The petitioner should have also disclosed all those pending suits in the affidavit filed along with the writ petition.

7. For all the above reasons, the Writ Petition cannot be entertained and as such stands dismissed. No costs.

09.12.2025

Neutral Citation: Yes/No
veda

To
The District Educational Officer (Private School),
Ondipadur, Coimbatore – 600 016,
also having address at:
XXW6+2MX, Raja Street,
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