



WEB COPY

WP No. 41147 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2025

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THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

WP No. 41147 of 2025

AND

WMP No.46096 of 2025

All India Private Educational Institutions Association
Rep. by its State General Secretary K.Palaniyappan
No.5, M.P.Avenue, Majestic Colony
Saligramam, Chennai- 600 093

.. Petitioner

Vs

1. The Principal Secretary to the Government
Education Department, State Of Tamil Nadu
Fort St. George, Chennai- 600 009

2.The Director of Private Schools
Directorate Of School Education
DPI Campus, College Road
Chennai- 600 009.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to pass orders granting permanent recognition to the schools which are constructed till 31.05.2025, as a special case, based on the recommendation of the 2nd respondent in Na.Ka. No.7324/A1/ 2024 dated 26.03.2025.

For Petitioner : Mr.R.Suresh Kumar
for M/s.K.M.Vijayan Associates

For Respondents : Mr.S.Prabhakaran
Government Advocate



ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 1st respondent to pass orders granting permanent recognition to the schools which forms part of the petitioner association and which have constructed building till 31.05.2025, based on the recommendation of the 2nd respondent made in Na.Ka.No.7324/A1/ 2024 dated 26.03.2025.

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

3. The case of the petitioner association is that the association consist of many private schools which provides education in many parts of Tamil Nadu. The grievance of the petitioner is that for the grant of permanent recognition to schools for uninterrupted functioning, the building approval must be granted under Section 47-A of the Tamil Nadu Town and Country Planning Act, 1971. A Government Order came to be issued in G.O.(1D) No.221 dated 10.08.2022, wherein, the Government had mandated that all the schools must make application for regularisation before the Town and Country Planning Authority within a prescribed time and they have to submit proof of such application while seeking for recognition and extension of recognition and was kept in abeyance and only thereafter, the recognition was extended. Considering the limited extension of recognition granted in the above G.O., the same came to be challenged before this Court and an order was passed by this Court clarifying that the recommendation should not be restricted for a particular period.



4. In order to avoid any further confusion, representations were made by various schools to the 2nd respondent and based on the same, the 2nd respondent has recommended to the 1st respondent to grant permanent recognition to all the schools which have been constructed till 30.05.2025, as a special case.

5. The same was not acted upon by the 1st respondent, in spite of the representation made by the petitioner on 10.09.2025. It is under these circumstances, the present writ petition came to be filed before this Court.

6. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the individual schools which form part of the petitioner association to make separate representation before the 1st respondent, based on the recommendation that was made by the 2nd respondent through the proceedings dated 26.03.2025. Considering the same, the 1st respondent shall take a decision for the individual schools concerned which gives the representation, within a period of three months from the date of receipt of the representation from those individual schools.

This writ petition is disposed of with the above direction. No costs. Connected W.M.P. is closed.

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Index: Yes/No

Neutral Citation: Yes/No



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gya

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