



W.P.(MD).No.1392 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1392 of 2025

P. Kandapalanivel,
Correspondent,
Dr.K.P.V.School, Cbse,
6/2b,6/2c Raja Raja Cholan Nagar,
Srinivasapuram,
Thanjavur - 613 009.

... Petitioner

Vs.

1.The Director of School Education,
Office of the Directorate of School Education,
D.P.I. Campus, College Road,
Chennai.

2.The Chief Education Officer,
Chief Education Office,
Panagal Building,
Thanjavur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.09.2024 and to grant Recognition and Approval in favour of the Dr.K.P.V.School CBSE, situated at Raja Raja Cholan Nagar, Srinivasapuram, Thanjavur - 613 009 within the time stipulated by this Court.



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For Petitioner : Mr.S.Venkatesan

For Respondents : Mr.T.Amjad Khan,
Government Advocate

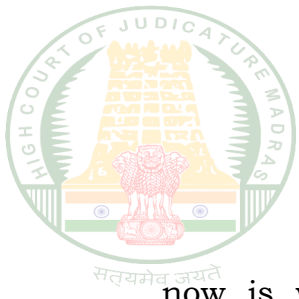
ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.This writ petition is filed to direct the respondents to consider the petitioner's representation dated 02.09.2024 and to grant Recognition and Approval in favour of Dr.K.P.V.School CBSE, situated at Raja Raja Cholan Nagar, Srinivasapuram, Thanjavur - 613 009.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.

4.When the matter was taken up for hearing, the learned Government Advocate appearing for the respondents, Mr.T.Amjad Khan, on instructions submitted that the approval which has been obtained by the school from the local authorities is for construction of a Matriculation school. However, the approval which is sought for



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now is with respect to the C.B.S.E. school. Hence, there is an impediment in considering the petitioner's representation.

5.Per contra, the learned counsel for the petitioner submitted that though the school obtained permission at the earliest for the establishment of a Matriculation school, later when the educational agency decided to convert the same as a C.B.S.E. School, proper amendment was carried out in the building plan, and due proper approval has already been obtained from the local authorities as early as in the year 2018 itself. Hence, the representation made by the petitioner with respect to the grant of approval for running a C.B.S.E. school can very well be considered by the respondent authorities.

6.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to



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derelection of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

7.In view of the said submission made by the learned Government Advocate, this Court hereby direct the respondents to consider the petitioner's representation dated 02.09.2024 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of on these terms. There shall be no order as to the costs.

21.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml
To

1.The Director of School Education,
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2.The Chief Education Officer,
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L.VICTORIA GOWRI, J.

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