



C.M.P.(MD)No.1895 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

C.M.P.(MD)No.1895 of 2025

in

Rev.Apl.C.(MD)No.SR7633 of 2025

in

W.A.(MD)No.247 of 2018

The Member Secretary,
Nagercoil Local Planning Authority
Nagercoil,
Kanyakumari District - 629 001.

... Petitioner

Vs.

- 1.The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai - 600 006.
- 2.The Inspector of Matriculation Schools,
Tirunelveli Region, Tirunelveli District.
- 3.Bharath Advanced Matriculation School,
Koyyanvillai, South Soorankudy Post,
Kanyakumari District - 629 501,
Rep. by its Correspondent,
S.Bhagawath, S/o.Subbaiah.



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4.The Special Officer,
Rajakkamangalam Village Panchayat,
Kanyakumari District.

... Respondents

Prayer in C.M.P.(MD)No.1895 of 2025 : Miscellaneous Petition is filed under Section 151 of Civil Procedure Code, to grant leave to the petitioner herein / third party to the Writ appeal (MD).No.247 of 2018 to file the present review application to review the judgment dated 29-06-2021 made in W.A.(MD).No.247 of 2018.

Prayer in Rev.Apl.C.(MD)No.SR7633 of 2025 : Review Application is filed under Order 47 Rule 1 and Section 114 of Civil Procedure Code, to review the judgment dated 29-06-2021 passed in W.A.(MD).No.247 of 2018 on the file of this Court by dismissing the writ petition.

For Petitioner : Ms.P.B.Ahamed Parvin Yasmin,
Government Advocate.

ORDER
(Order of the court was delivered by G.R.Swaminathan, J.)

The Member Secretary, Nagercoil Local Planning Authority,
Nagercoil has filed this petition for reviewing the order dated 29.06.2021



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made in W.A.(MD)No.247 of 2018. By the said order, the Hon'ble Division Bench had dismissed the writ appeals filed by the Director of Matriculation Schools, Chennai. The petitioner herein was not a party to the said writ appeals.

2.The writ petitioners therein were matriculation schools. The Director of Matriculation Schools had issued proceedings proposing to cancel the recognition of the schools on the ground that the schools had not obtained building plan approval from the department of town and country planning. The writ petitions were allowed and the writ appeals were dismissed.

3.The issue in the said writ appeals was between the school managements on the one hand and the department on the other. The outcome of the said writ appeals will not come in the way of the petitioner / authority from acting as per law. Since the petitioner was not a party to the said writ appeal proceedings, the outcome of the said writ appeal proceedings will not bind the present petitioner herein.



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4. With the aforesaid liberty to the petitioner to act as per law, this miscellaneous petition for grant of leave is dismissed. Consequently, the review application is also dismissed at the SR stage itself. No costs.

**(G.R.S. J.) & (M.J.R. J.)
15.04.2025**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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