



**W.P(MD)No.11679 of 2025**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 24.04.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU  
and  
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.11679 of 2025**

1.A.Sakthivel  
2.V.Kannan

... Petitioners

vs.

- 1.The Director of Elementary Education,  
Directorate of Elementary Education,  
College Road,  
Nungambakkam,  
Chennai – 600 006.
- 2.The District Elementary Educational Officer,  
Thanjavur District,  
Thanjavur – 613 001.
- 3.The Block Development Officer,  
Block Educational Office,  
Papanasam – 614 205,  
Thanjavur District.
- 4.Chandrika Prasath



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5.The Head Master,  
Saraswathi Ambal Aided Elementary School,  
Saraboji Rajapuram,  
Vazhuthur – 514 210,  
Thanjavur District.

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to cancel the approval order made in Moo.Moo.No.02719/Aa4/2024 dated 10.09.2024 passed by the second respondent as the same is violative of Tamil Nadu Recognized Private Schools Act 2019 and Rules 2023 on the basis of petitioners' representations dated 18.01.2025, 24.02.2025 and 11.03.2025.

|                 |                                           |
|-----------------|-------------------------------------------|
| For Petitioners | : Mr.V.S.Kumara Guru                      |
| For RR 1 to 3   | : Mr.P.Thilak Kumar<br>Government Pleader |

### **ORDER**

**(Order of the Court was made by J. NISHA BANU, J.)**

The petitioners have filed the present Writ Petition seeking issuance of a Writ of Mandamus, directing the respondents to cancel the approval order dated 10.09.2024 passed by the second respondent, on the ground that the same is violative of the Tamil Nadu Recognized Private Schools Act, 2019 and the Rules,



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**WEB COPY** 2023, based on the petitioners' representations dated 18.01.2025, 24.02.2025, and 11.03.2025.

2. According to the petitioners, who have filed the present Writ Petition as a Public Interest Litigation, the fourth respondent school was established 75 years ago and was last administered by one late Soundaravalli, who passed away on 23.07.2020. Thereafter, the said school was brought under the direct payment system and came under the administration of the third respondent. While so, the fourth respondent was appointed as the Educational Agency and Secretary of the said school on 15.03.2024, and the same was approved by the second respondent by order dated 10.09.2024, allegedly in violation of the mandatory provisions of the Tamil Nadu Recognized Private Schools Act and Rules. Further, according to the petitioners, the approval order was granted under the old Act, namely the Tamil Nadu Private Schools Act, 1974, although the new Tamil Nadu Recognized Private Schools Act, 2019, had already come into force. Therefore, the order passed by the second respondent under the old Act is stated to be illegal and liable to be set aside. Hence the petitioners, along with others, made a representation to the second respondent on 18.01.2025,



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pointing out all the aforementioned defects in the appointment of the fourth respondent as the Educational Agency and Secretary of Saraswathi Ambal Aided Elementary School, Saraboji, Rajapuram, requesting cancellation of the approval order dated 10.09.2024. Further representations were submitted on 24.02.2025 and 11.03.2025. As the second respondent failed to consider these representations, the petitioners have filed the present Writ Petition.

3. When the matter was taken up for hearing today, the learned Government Pleader appearing for the respondents 1 to 3 submitted that the appointment of the fourth respondent was duly considered and approved by the second respondent in accordance with law. He further submitted that the petitioners have not directly challenged the approval order dated 10.09.2024 through appropriate legal proceedings. Instead, they have sought cancellation of the said order through this Writ Petition in the nature of a Public Interest Litigation.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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5.It is well settled that a Writ of Mandamus cannot be issued to cancel an administrative or statutory order without the same being specifically challenged by the aggrieved party through appropriate legal recourse. The petitioners herein are not directly affected by the approval order in question and have not demonstrated any locus standi or personal interest in the matter except a vague assertion of public interest. The approval of the fourth respondent, having been granted by the competent authority, is presumed to be valid unless set aside in accordance with law.

6.In view of the above, this Court is not inclined to entertain the present Writ Petition in the form of Public Interest Litigation. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

**[J.N.B.,J.] & [S.S.Y.,J.]**  
**24.04.2025**  
**(1/2)**

NCC : Yes / No  
Index : Yes / No



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To

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**J.NISHA BANU, J.**  
**and**  
**S.SRIMATHY, J.**

ps

**ORDER MADE IN**  
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**DATED : 24.04.2025**  
**(1/2)**