



W.P.(MD).No.11796 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.04.2025

**CORAM:**

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.11796 of 2025

Nithya

... Petitioner

-VS-

1. The Secretary ,  
Department of School Education,  
Samagra Shiksha,  
P.A.K.Valagam, College Road,  
Nungambakkam,  
Chennai - 600 006.
2. The Director,  
Department of School Education,  
O/o. Department of School Education,  
College Road,  
Chennai - 600 009.
3. The District Collector,  
District Collector Office,  
Madurai District.
4. The Chief Education Officer,  
Chief Education Office,  
Thallakulam,  
Madurai District.
5. The District Education Officer,  
District Education Office,  
Chinna Chokkikulam,  
Madurai District.



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6. The Head Master,  
Teddy Nursery and Primary School,  
Alampatti,  
Thirumangalam Taluk,  
Madurai District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents no.1 to 6 to consider petitioner's representation dated 05.03.2025 and to admit the petitioner's daughter namely Janani Priyanka at F.M. Matriculation Hr. Sec. School, Thirumangalam or any other nearby Private Matriculation School under the Right to Education Scheme for the academic year 2025 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.J.Karthikeyan

For Respondents : Mr.C.Venkatesh Kumar (R1 to R5)  
Special Government Pleader

### **ORDER**

This writ petition has been filed seeking a direction to the respondents 1 to 6 to consider the petitioner's representation dated 05.03.2025 and to admit the petitioner's daughter, namely, Janani Priyanka at F.M. Matriculation Hr. Sec. School, Thirumangalam or any other nearby Private Matriculation School under the Right to Education Scheme for the academic year 2025 within a stipulated time as fixed by this Court.



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2. By consent of both parties, this writ petition is disposed at the stage of admission itself. Considering the nature of the order going to be passed in this writ petition, notice to the sixth respondent is dispensed with.

3. The petitioner's daughter is studying 4<sup>th</sup> standard in the sixth respondent school under the Right of Children to Free and Compulsory Education Act, 2009. All of a sudden, the petitioner received a phone call informing that the sixth respondent school has insufficient funds to run the school and so, it will be closed from April, 2025. Hence, the petitioner made a representation to the respondents dated 05.03.2025 with regard to the same. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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 him 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its



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extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents 3 and 4 to consider the petitioner's representation dated 05.03.2025, on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

**24.04.2025**

NCC : Yes/No  
Index : Yes / No  
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Note: Issue order copy on 25.04.2025.



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**TO:-**

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Department of School Education,  
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Chennai - 600 006.
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**VIVEK KUMAR SINGH, J.**

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Order made in  
W.P.(MD)No.11796 of 2025

Dated:  
24.04.2025