



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP.No. 290 of 2026
and
WMP. No. 337 of 2026**

M/s. Terapanth Educational and Medical Trust,
Rep. by its Secretary, Mr. Mahaveer Chand.A,
S/o. Mr.Anraj, No.32, Vadamalai Street,
Sowcarpet, Chennai - 600 079.

Petitioner

Vs

1. The Principal Secretary, (Education)
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The Director of Private Schools,
Periyangar Anbazhagan Kalvi Valagam, College,
Chennai - 600 006.
- 3.The District Educational Officer,
Chennai North,
Villivakam, Chennai - 600 049.
- 4.The Chief Educational Officer,
Chennai District, Egmore,
Chennai - 600 008.
- 5.The Corporation of Chennai,
Rep. by its Commissioner,
Rippon Building,
Chennai - 600 003.
- 6.The Executive Engineer (Enforcement)
Zone V, Corporation of Chennai,
O/o. Regional Deputy Commissioner (North),
No.62, Basin Bridge Road, Chennai - 600 021



7. Mr.U.Manuchand Goleeha
S/o.Late Umarochand Goleeha
No.2701, Linghi Chetty Street,
Mannady, Chennai – 600 001.

(R7- Suo Motu impleaded as per
order dated 07.01.2025 in W.P.No.290 of 2026 by DBCJ)

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the second respondent in Na.Ka.No.1273/A3/2025 dated 13.11.2025 and 23.12.2025 and quash the same and consequently direct the respondents to consider the representation of the petitioner dated 29.12.2025 and conducted the enquiry in accordance with law.

For Petitioner: Mr.A.Prabulachandran

For Respondents: Mrs.S.Mythreye Chandru,
Special Government Pleader for
R1 to R4

Mr.S.Gopinathan for R5 & R6

Mr.R.Chandru for R7

ORDER

The writ petition is filed with a prayer to call for the records relating to the proceedings of the second respondent in Na.Ka.No.1273/A3/2025 dated 13.11.2025 and 23.12.2025 and quash the same and consequently direct the respondents to consider the representation of the petitioner dated 29.12.2025 and conduct the enquiry in accordance with law.



2. The grievance of the learned counsel for the petitioner is that the school has been run continuously from the year 1990. While so, by the first impugned order, a show cause notice was issued directing the school to show cause as to why the recognition should not be given. The second impugned order was passed directing the students to be shifted to some other school. It is further averred that the newly impleaded seventh respondent has a civil dispute with the school and the same is pending before the civil forum. With reference to some of the classrooms, it is admitted that they were built without proper plan approval and if given an opportunity, the petitioner will make representations and rectify the defects. It is also stated that the application for regularisation is pending.

3. The learned Special Government Pleader appearing on behalf of first to fourth respondents would submit that the show cause notice was issued considering the best interests of the students and that the entire infrastructure should be an approved one and be proper for running the school. It is for the management of the school to satisfy the authorities that the school can continue to run with the available infrastructure or to rectify the same. The learned Special Government Pleader would further submit that it is true that pending the show cause notice itself, the order of shifting was passed and that if proper cause is shown, until the decision on the show cause notice, the second order



shifting the students will be kept in abeyance.

4. The learned counsel appearing on behalf of the fifth and sixth respondents would submit that if any application is made or pending, the same will be considered in accordance with the building regulations and applicable laws.

5. The learned counsel appearing on behalf of the seventh respondent submits that part of the school is wrongly located in his building and that the school cannot be permitted to run. It is stated that civil proceedings are already pending. Therefore, when the seventh respondent had made a representation, this writ petition ought not to have been filed without impleading the seventh respondent as a party.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. As far as the contention of the seventh respondent is concerned, if the property belongs to him, as and when the civil Court passes a decree, he can duly take possession. In the meanwhile, possession need not be taken through the school education authorities. The school education authorities are concerned only with the best interests of the students, their safety and providing a proper



atmosphere for teaching and learning.

8. In that view of the matter, no exception can be taken to the issuance of the show cause notice calling upon the petitioner management to explain why the recognition should not be cancelled, as certain deficiencies have been pointed out therein. It is for the petitioner management to explain or rectify the defects mentioned in the show cause notice.

9. As rightly pointed out by the learned Special Government Pleader as well as the learned counsel for the petitioner, when the show cause notice has been issued and the petitioner is in the process of submitting the explanation, shifting of students to some other school without deciding the issue is uncalled for. Therefore, the second impugned order dated 23.12.2025 passed by the second respondent cannot be implemented even before the issue is decided.

10. In view thereof, this writ petition is *disposed of* on the following terms:-

(i) For the impugned show cause notice dated 13.11.2025 in Na.Ka.No.1273/A3/2025, the petitioner has already submitted an explanation by way of representation dated 29.12.2025. The same shall be treated as an explanation and an opportunity of hearing shall be given to the petitioner.



(ii) The petitioner shall be given an opportunity to explain each and every deficiency and also to submit any rectified plan to the satisfaction of the authority. The authority shall consider the explanation in the manner known to law and pass final orders thereon. Until such exercise is completed, the order passed by the second respondent dated 23.12.2025 shall not be given effect to.

(iii) It is also made clear that during the enquiry, both the petitioner as well as the seventh respondent shall be heard by the official respondents.

(iv) Consequently, connected miscellaneous petition is closed. No costs.

07-01-2026

3/3

Neutral Citation: Yes/No

ns1



To

1. The Principal Secretary, (Education)
Secretariat, Fort St. George,
Chennai 600 009.
2. The Director of Private Schools,
Periyangar Anbazhagan Kalvi Valagam, College,
Chennai - 600 006.
3. The District Educational Officer,
Chennai North,
Villivakam, Chennai - 600 049.
4. The Chief Educational Officer,
Chennai District, Egmore,
Chennai - 600 008.
5. The Commissioner,
The Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
6. The Executive Engineer (Enforcement)
Zone V, Corporation of Chennai,
O/o. Regional Deputy Commissioner (North),
No.62, Basin Bridge Road, Chennai - 600 021



WEB COPY

WP No. 290 of 2026



D.BHARATHA CHAKRAVARTHY J.

nsi

W.P.No. 290 of 2026

07-01-2026

3/3