



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

WEB COPY

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1124 of 2026

Kavitha

Petitioner

Vs

1. The Commissioner for School Education,
School Education Department,
DPI, campus, Nungambakkam,
Chennai- 28.

2.The Director,
The Directorate of Matriculation School,
DPI Campus,
Nungambakkam, Chennai- 28.

3.Chief Education Officer,
Cuddalore District, Cuddalore.

4.Mrs.Kavitha
Correspondent / Principal,
Jayasakthi Matriculation Nursery & Primary School,
Pennadam, Thittagudi Taluk,
Cuddalore District.

5. Vel (Driver)
S/o.Pazhani,
Jayasakthi Matriculation Nursery and Primary School,
Pennadam, Thittagudi Taluk, Cuddalore District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the first to third respondents to take necessary action against fourth respondent by considering the representation of the petitioner dated 31.12.2025, in accordance with law.



For Petitioner: Mr.A.Balaji for
Mr.M.Velmurugan
For R1 to R3: Mr.P.Rajarajeswari
Government Advocate

ORDER

This writ petition is filed to direct the first to third respondents to take necessary action against fourth respondent by considering the representation of the petitioner dated 31.12.2025, in accordance with law.

2. The writ petition is disposed of at the admission stage without notice to fourth and fifth respondents. In view of the nature of the order that is passed, this Court is not expressing any opinion as to the veracity of the allegations.

3. It is the case of the petitioner that the fourth respondent school was plying the bus without even a fitness certificate. The provisions of the Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012 were not followed. The petitioner's husband and her son got injured in the accident and ultimately succumbed to the injuries. The petitioner had lodged a complaint before Pennadam Police Station and a case in Crime No.317 of 2025 was also registered on 22.12.2025 and is under investigation by the police. The petitioner has also preferred a representation dated 31.12.2025 to the respondents 1 to 3 and therefore, she approaches this Court for further action.



4. The truth or otherwise of the allegations will be gone into by the appropriate authorities. However, it must be seen that apart from the rash and negligent driving, which is punishable under the Bharatiya Nyaya Sanhita (BNS), 2023, the appropriate police shall also verify the violations of the Tamil Nadu Motor Vehicles (Regulation and Control of School Buses) Special Rules, 2012, and any other provisions of the Motor Vehicles Act, if found violated, shall also be investigated and proceeded in accordance with law. The said offences shall be investigated and the offences against any other person apart from the driver, if any, made out shall also be investigated.

5. The third respondent, namely the Chief Educational Officer, Cuddalore District, Cuddalore, shall take up the representation of the petitioner dated 31.12.2025 for enquiry. The third respondent shall issue notice to the petitioner as well as the fourth and fifth respondents. The third respondent shall consider the allegations made by the petitioner that there was not even a fitness certificate for the vehicle bearing Registration No.TN 45 AB 4674. The third respondent shall appropriately pass orders on the representation after the enquiry. If there are any violations, the third respondent shall bring them to the notice of the Special Cell and the District Committee constituted under the Rules. The third respondent shall also ensure that apart from the present school, other school vehicles are being operated as per the Special Rules and that due inspections shall also be made by the Special Cell/District Committee in respect



of all the schools in the district. The order on the petitioner's representation shall be passed as expeditiously as possible and further action shall be taken in any event not later than eight weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

6. In view thereof, this writ petition is disposed of. No costs.

12-01-2026

Neutral Citation: Yes/No

ns1

To

1. The Commissioner for School Education,
School Education Department,
DPI, Campus, Nungambakkam,
Chennai- 28.

2. The Director,
The Directorate of Matriculation School,
DPI Campus, Nungambakkam,
Chennai- 28.

3. The Chief Education Officer,
Cuddalore District,
Cuddalore.

4. The Inspector of Police,
Pennadam Police Station,
Cuddalore.



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D.BHARATHA CHAKRAVARTHY J.

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