



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 5903 of 2026
and W.M.P.No.6410 of 2026**

S.Richard
7/173A Anna Main Road,
Agaramthen, Selaiyur,
Tambaram 600 126

..Petitioner(s)

Vs.

1. The Secretary
Department of School Education and Literacy,
Ministry of Education,
Government of India,
124-C, Shastri Bhawan,
New Delhi 110 001.
2. The Directorate of School Education
(Private/ International Schools wing),
Government of Tamil Nadu,
Samagra Shiksha,
P.A.K.Valagam, College Road,
Nungambakkam, Chennai 600 006.
3. The District Educational Officer
Chengalpattu Educational District,
370 Anna Salai, JCK Nagar,
Chengalpattu, Tamil Nadu 603 002.
4. Pearson Edexcel- International Qualifications
India/ South Asia,
Unit A and B,
International Tech Park Capitaland,
6th Floor, Tower 1,
200 Feet Radial Rd, Zamin Pallavaram,
Old Pallavaram, Chennai
Tamil Nadu 600 117.
5. The Management
Horizon International Academy,
No. 36 Dr. APJ Abdul Kalam Street,



Ambedkar Road,
Kovilancheri,
Chennai 600 126.

6. The Principal
Horizon International Academy ,
No. 36 Dr. APJ Abdul Kalam Street,
Ambedkar Road,
Kovilancheri,
Chennai 600 126.

7. D.Imman
8/29A Hitech Royal park,
Sornambigai Nagar,
Virugambakkam, Chennai 600 092.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the representation dated 28.01.2026 forthwith permit and complete the enrolment of the minor students Veronica Dorothy Imman and Blessica Kathy Imman for the current academic year 2025- 2026 without insisting upon the arbitrary conditions relating to the separation of parents, based on the lawful consent of their legal custodian and pass such further or other orders.

For Petitioner(s): Ms.Girija Velmurugan

For Respondent(s): Mr.R.Sanjay
CGSC for R1
Mr.A.M.Ayyadurai
Government Advocate for RR2 & 3
Ms.Gurmeet Kour
for M/s.R & P Partners For R7

ORDER

This Writ Petition is filed for a Mandamus directing the respondents to consider the representation dated 28.01.2026 forthwith permit and complete the



enrolment of the minor students Veronica Dorothy Imman and Blessica Kathy Imman for the current academic year 2025 – 2026, without insisting upon the arbitrary conditions relating to the separation of parents, based on the lawful consent of their legal custodian and pass such further or other orders.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it is the case of the petitioner that he is the maternal grand father of the minor children, viz., Veronica Dorothy Imman and Blessica Kathy Imman. When the parents filed application for divorce under Section 10-A of the Indian Divorce Act, 1869 in O.P.No.1902 of 2020, the custody of the minor children was entrusted to the maternal grand parents. The children are now studying at the 5th respondent – private school under the International General Certificate of Secondary Education (IGCSE) and International Advanced Level (IAL) curriculum, they have completed 10th standard and they are about to go to 11th standard. In order to admit the children in the 11th standard, the 5th respondent – school requires the consent letter from the mother, father as well as the grand parents. Till date, the 7th respondent – the father of the minor children has not given his consent to admit the children in 11th standard. When the custody has been entrusted only to the maternal grand parents, such an insistence by the respondents 4 to 6 is incorrect in law and therefore, the petitioner is before this Court.



3. The Writ Petition is resisted by the 7th respondent/father of the minor children. The learned counsel submits that certain allegations that are made in the affidavit as if the father is not even spending for the education expenses of the children are all false. According to her, the father has been doing his bit by paying the requisite fees, etc. In fact the father is also watching the children from a distance, as there is some difficulty for the children in freely moving with their father. The children have grown up and the visitation rights cannot also be exercised in a manner as if the children are tender children. If the daughters are willing to speak with the father, then only he can move with them freely. The father is having concerns with the double promotions that has been granted to the second child. The second child has been granted double promotion for the second time and the father is noticing that the second child is not able to gel with her other classmates and sitting idle in the ground and that is the concern of the father. The mother is insisting upon double promotion only because the child is academically brilliant. It will affect the child's personality and also behaviour and she will also have problems in getting admission to the undergraduate courses. Therefore, the father has not given his consent. The second child has to be evaluated by an independent child counsellor to decide, whether she will be in a good frame of mind to sit in the 11th standard.

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



5. Even though notice has been served on the respondent Nos.4 to 6 – school, they have chosen not to appear before this Court. Rightly so, as this is an extended family court litigation which is now occupying the jurisdiction under Article 226 of the Constitution of India. When the parents filed the 10A application under the Indian Divorce Act, 1869, the custody was given to the grandparents. In that background, this Court is not finally deciding as to the continuance of custody or the allegations that is *inter se* made between the parties. Now the question that is to be decided is the continuance of the education of the children. The father has no objection with reference to the elder child viz., Veronica Dorothy Imman. Upon a query by this Court, it is undertaken that the consent in the appropriate form will be submitted by the 7th respondent.

6. Since the concern is expressed only with reference to the second child, the 7th respondent, within one week from today shall approach the 5th respondent - school with a written consent letter in respect of that child also. He can place on record a separate communication about his consent with regard to the younger daughter. Upon receipt of the same, the 5th respondent – school shall refer the said student, viz., Blessica Kathy Imman to any Children Education Counsellor, who shall evaluate if the child is fit to continue in the 11th standard considering her overall well being and as per the report shall process the



application of the second child also.

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7. Let the affidavits and communications be submitted by the 7th respondent within one week from the date of receipt of the website uploaded copy of this order.

8. If the 7th respondent does not submit the consent form/communications, the respondents 4 to 6 / school authorities shall process the applications and admission of the children without the consent of the 7th respondent.

9. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

24-02-2026

Neutral Citation: Yes/No

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To

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Government of India,
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New Delhi 110 001.
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D.BHARATHA CHAKRAVARTHY, J.

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