



W.P.No.47887 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.01.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Barath B

.. Petitioner

Versus

1. The State of Tamil Nadu,
rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai – 600 006.
3. The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.
4. The Chief Educational Officer,
D.No.514, 5th Floor,
Tiruppur Collectorate,
Tiruppur – 641 604.
5. The District Educational Officer,
D.No.632, 6th Floor,
Tiruppur Collectorate,
Tiruppur – 641 604.



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6. The Correspondent,
Vikas Vidyalaya Matriculation
Higher Secondary School,
Uthukuli Road, Koolipalayam Road,
Vaavipalayam, Tiruppur – 641 666.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondent Nos.1 to 5 to take action against the sixth respondent and direct the sixth respondent immediately to issue the Original Mark Sheets, Transfer Certificate and Conduct Certificate of the petitioner's son namely Sanjay, S/o.Barath in accordance with law within a reasonable time as may be fixed by this Court.

For Petitioner : Mrs.S.Nadhiya

For Respondents : Mr.A.M.Ayyadurai,
Government Advocate,
for RR-1 to 5

: Mrs.S.Suneetha, for R6

ORDER

This Writ Petition is filed for a mandamus directing the respondent Nos.1 to 5 to take action against the sixth respondent for not issuing Original Mark sheets, Transfer Certificate and Conduct Certificate of the petitioner's son namely, *Sanjay*, in accordance with law.

2. The case of the petitioner is that he is a Daily Wage Labourer



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and his elder son, *Sanjay* and younger son, *Darshan* studied in the sixth respondent School. It is seen that the fees were due in respect of both the children. Now, the school is not parting away with the Transfer Certificate and the other original documents of the petitioner's son, *Sanjay*. Hence, this Writ Petition.

3. When the matter is taken up for hearing, the learned Counsel for the sixth respondent School, by producing an affidavit filed by the petitioner, would submit that the school in this case, considering the financial difficulty of the parent, permitted the children to continue and undergo the education for the years together and a total fee of Rs.3,95,150/- is now due to the school. The sum of Rs.2,25,550/- is due towards *B.Sanjay* and a sum of Rs.1,69,600/- is due towards *B.Darshan*. Earlier, when the other son was transferred to the other school, on 05.11.2024, the petitioner also submitted an affidavit undertaking to pay the balance outstanding in monthly installments of Rs.80,000/- each. That promise was also not kept by the petitioner.

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



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5. It is true that this Court has been issuing directions holding that the educational authorities, including the private schools, cannot withhold the certificates of a student for non-payment of fees. At the same time, when a school like the sixth respondent School which was fair enough to give a long rope for a parent to pay the fee, their interests should also be safeguarded. Especially, when the petitioner has earlier filed an affidavit, without considering the arrears, this Court should not pass the order. In view thereof, in the facts and circumstances in the present case, this Court opined that if only the petitioner undertakes to pay the balance in installments, the direction would be given. The learned Counsel took time to get instructions and today, would submit that if installments of Rs.5,000/- per month is permitted, her client is willing to pay the same.

6. I have considered the said request.

7. From the additional affidavit, it is now clear that the petitioner is undertaking the job working to one Niyas Garments, 1/453, 3rd Street, Kallangadu, Tiruppur, where the petitioner is ironing the garments and packing as per the specification of the Companies and is supplying back to



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the company, for which, he is being paid on piece-rate basis. The learned Counsel would submit that the petitioner is earning a sum of Rs.750/- per day. Therefore, taking all that into consideration, the following orders are passed:-

(i) The sixth respondent School is directed to hand over the certificates of the petitioner's son, *Sanjay*, within one week from the date of receipt of a web-copy of the order without waiting for a certified copy of this order;

(ii) The petitioner shall pay the total arrears of Rs.3,95,150/- in 40 equal monthly installments of Rs.10,000/- each for the first 39 installments and Rs.5,150/- for the 40th installment.

(iii) The first installment shall be paid on or before 05.02.2026 and only after the payment of the first installment, the certificates will be issued.

(iv) Every installment shall be paid on or before the fifth day of every succeeding calendar month.

(v) It is made clear that if the petitioner defaults for any payment, the same will be brought to the notice of this Court by the sixth respondent by way of an appropriate petition and this Court will deal with the petition for violation of the order.



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8. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

28.01.2026

Neutral Citation : no
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To

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