

W.P.(MD)No.16017 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2026

CORAM

THE HONOURABLE **Mr.JUSTICE HEMANT CHANDANGOUDAR**

W.P.(MD)No.16017 of 2025 &
W.M.P.(MD)Nos.12112 to 12114 of 2025

Kathir Vidhyalaya,
Primary and Nursery School,
Rep by its Correspondent,
K.Uma Maheswari,
Perumalpuram,
S.T.C.College Road
Palayamkottai Taluk
Tirunelveli District.

...Petitioner

vs.

1. The Director of Matriculation Schools,
Directorate of Matriculation Schools,
DPI Campus, Chennai.

2. The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

3. The District Education Officer (Private Schools),
Tirunelveli District,
Tirunelveli.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the order passed by the 3rd respondent in proceedings in Na.Ka.No.1181/A1/2024 dated 14.12.2024 and the consequential order



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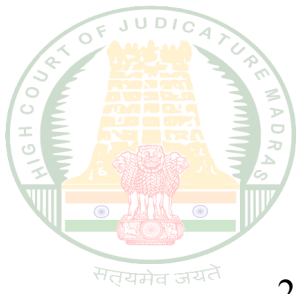
passed by the 3rd respondent vide proceedings in R.C.No. 112/A1/A2/A3/2025 dated 16.04.2025 and quash the same as illegal and consequentially to direct the 3rd respondent to grant notional extension of recognition to the petitioner School as the primary and nursery school from 01.06.2017 to 31.05.2025 and consequentially to recognize the petitioner school as Matriculation school from the academic year 2025 to 2026 i.e. from 01.06.2025 within the period that may be stipulated by this Court.

For Petitioner : Ms.H.Jasima Yasmin
for M/s.Ajmal Associates

For Respondents : Mr.N.Ramesh Arumugam,
Government Advocate

ORDER

The petitioner assails the order dated 14.12.2024 issued by the third respondent, whereby the petitioner's request for continued recognition of the Nursery and Primary School from 01.06.2017 came to be rejected. The petitioner had originally been granted recognition to run the Nursery and Primary School up to 01.06.2017, and thereafter, the said recognition was not continued. The petitioner submitted an application seeking continuation of recognition for the Nursery and Primary School from 01.06.2017. Since the said request was not accepted, the petitioner was constrained to approach this Court.



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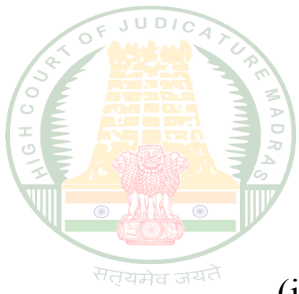
2. This Court, by order dated 27.06.2024 in W.P. (MD) No. 12865 of 2024, directed respondents 1 and 2 therein to consider the petitioner's request for grant of recognition without taking note of the absence of building plan approval. It was also observed that the petitioner must satisfy the respondents that the construction had been put up prior to the cut-off date, i.e., 01.01.2011. Pursuant to the said order, the third respondent passed the impugned order.

3. Heard the learned counsel appearing on either side.

4. The impugned order passed by the third respondent reveals that the petitioner's request for continued recognition was rejected for the following reasons:

(i) Building Certificate, Building Licence Certificate, Fire Department No Objection Certificate, and Health Certificate had not been obtained in the name of the Nursery and Primary School, but only in the name of the Matriculation School;

(ii) There was no information regarding the number of classrooms available for the Nursery and Primary School and the total extent of the building;



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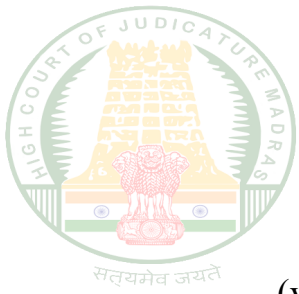
(iii) There was no explanation as to how Mrs. K. Uma Maheshwari, Headmistress of the Nursery and Primary School, was allowed to function as Headmistress of the Matriculation School in an unrecognised Matriculation School;

(iv) The Principal had stated that a NEET Academy would function on the first floor, for which no departmental permission had been granted under the name of KVS Trust;

(v) Mortgage of the premises earmarked for school use for any other purpose is impermissible; however, approval had been granted by the Director of Matriculation Schools based on the same premises shown for school use;

(vi) School premises are not permitted to be used for any purpose other than school activities;

(vii) Permission for upgradation from Nursery and Primary School to Matriculation School can be sought only by a recognised school, and the period for seeking continuous recognition had not been mentioned in Column No. 7 of the relevant application form;



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(viii) Departmental permission had not been obtained for registration of the Trust managing the Primary School under a different name;

(ix) Prior permission had not been obtained for upgrading the already functioning school to start classes from Standards VI to X; and

(x) Building Certificate, Building Licence Certificate, and other certificates obtained in the name of the Matriculation School for classes upgraded without prior permission could not be accepted.

5. At this stage, learned counsel appearing for the petitioner undertook that classes from Standards VI to X would not be conducted until prior permission is obtained from the competent authority. She further undertook that the NEET Academy would not be run on the first floor of the school premises. She submitted that the certificates and No Objection Certificates obtained from the competent authorities are in the name of the Matriculation School since the same were required for upgradation to a Matriculation School. She further stated that there are altogether 32 classrooms in the school premises, which is more than sufficient for continuation of recognition of the Nursery and Primary School. In view of the above undertakings, the petitioner's request for continued recognition of the



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Nursery and Primary School from 01.06.2017 requires reconsideration by the third respondent.

6. Accordingly, the Writ Petition is allowed in part. The impugned order passed by the third respondent in Na.Ka. No. 1181/A1/2024 dated 14.12.2024 and the impugned show cause notice in R.C. No. 112/A1/A2/A3/2025 dated 16.04.2025 are set aside.

7. The third respondent is directed to reconsider the petitioner's application afresh for continued recognition of the Nursery and Primary School from 01.06.2017, without insisting upon No Objection Certificates issued by the competent authorities specifically in the name of the Nursery and Primary School.

8. The third respondent is at liberty to conduct inspection of the school premises. Upon such inspection, if it is found that the petitioner is not running classes from Standards VI to X and is not conducting the NEET Academy within the school premises, the third respondent shall accede to the petitioner's request. The petitioner is also permitted to furnish any additional documents, if required by the third respondent.



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9. The aforesaid exercise shall be completed within a period of four (4) weeks from the date of receipt of such additional documents, if any, by the third respondent.

10. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

27.04.2026

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

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HEMANT CHANDANGOUDAR, J.

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