

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2020

CORAM:

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.No.9987 of 2020

and

W.M.P.No.12138 of 2020

The Tamil Nadu Nursery Primary Matriculation
Higher Secondary Schools Association

Rep.by its State Secretary

Mr.K.R.Nandakumar, S/o.K.Ramachandran

Having office at No.6, Egambaram Street,

Pammal, Chennai – 600 075.

...Petitioner

Vs

1.The Chief Secretary to Government,
Revenue and Disaster Management Department,
Fort St.George, Chennai – 600 009.

2.The Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai – 600 009.

3.The Director of School Education,
DPI, College Road, Chennai – 600 006.

4.The Director of Matriculation Schools,
College Road, Chennai – 600 006.

5.The Director,
Office of the Directorate of Elementary Education,
DPI, College Road, Chennai – 600 006. ...Respondents

Prayer in W.P.No.9987 of 2020: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of mandamus directing the respondents herein to relax the order dated 20.04.2020 in G.O.(Ms.) No.199, Revenue and Disaster Management (DM II) Department passed against the educational institutions precluding from collecting fees from the students to the extent to permit the schools to collect the fees due for the academic year 2019 – 2020 and part fees for the academic year 2020 –21 to meet out the costs for paying the salaries, purchase and distributions of books, provisioning for online classes, etc. by considering the representation of the petitioner dated 27.05.2020.

Prayer in W.M.P.No.12138 of 2020: Writ Miscellaneous Petition filed under Article 226 of Constitution of India, seeking to paa an order of interim stay of operation & implementation of the order dated 20.04.2020 in G.O.(Ms).No.199, Revenue Disaster Management Department, DM

II), Department.

For Petitioner : Mr.D.Baskar

For Respondents :Mrs.V.Annalakshmi,
Additional Government Pleader.

ORDER

Mrs.V.Annalakshmi, learned Additional Government Pleader, takes notice for the respondents.

2.Post this case on 05.10.2020 along with connected batch of writ petitions.

3.This Court has already passed an interim order in a batch of cases in WP.No.9295 etc. of 2020 dated 17.07.2020 and the same order will squarely apply to the present case also.

4.The learned Government Advocate appearing on behalf of the Education Department brought to the notice of this Court that there are several complaints received from parents to the effect that the Educational Institutions are insisting for the payment of the entire fees in

violation of the interim orders passed by this Court on 17.07.2020. It is also brought to the notice of this Court that the parents are hesitant to give a written complaint fearing consequences.

5. This Court is taking a very serious note of the violation that has been brought to its notice. Based on the oral complaint, the Education Department shall conduct an immediate enquiry and if it is found that the Institutions are collecting fees in violation of the interim orders passed by this Court, immediate action shall be taken against the Schools. The particulars of the Schools shall also be provided to this Court and if this Court finds that there is any violation, this Court will not hesitate to initiate Contempt Proceedings against the persons incharge of the School. The Director of School Education, Chennai, shall file a report on the action taken.

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Post this case under the caption for filing report on **17.08.2020**.

31.07.2020

Internet: Yes

PNS/KP

Note: **Upload the order today itself (31.07.2020)**

To

- 1.The Chief Secretary to Government,
Revenue and Disaster Management Department,
Fort St.George, Chennai – 600 009.
- 2.The Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai – 600 009.
- 3.The Director of School Education,
DPI, College Road, Chennai – 600 006.

4.The Director of Matriculation Schools,
College Road, Chennai – 600 006.

5.The Director,
Office of the Directorate of Elementary Education,
DPI, College Road, Chennai – 600 006.

6.The Addl. Government Pleader,
High Court, Madras.

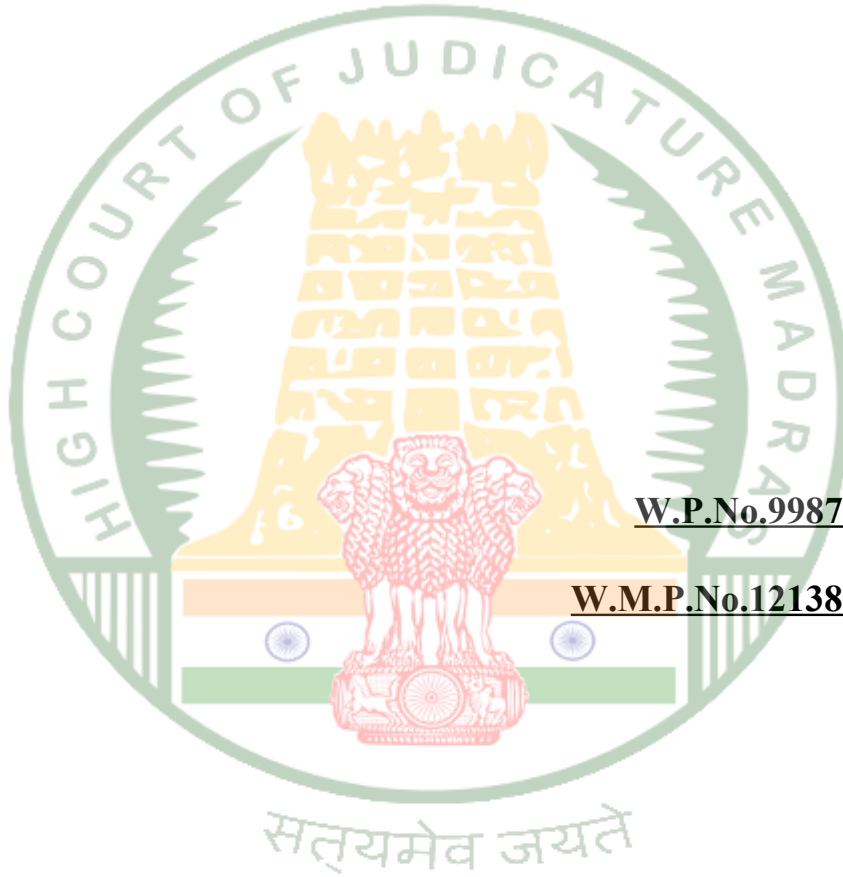


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W.P.No.9987 of 2020

N.ANAND VENKATESH, J.,

PNS/KP



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