



W.P.(MD).No.1392 of 2025

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 21.01.2025**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.1392 of 2025**

P. Kandapalanivel,  
Correspondent,  
Dr.K.P.V.School, Cbse,  
6/2b,6/2c Raja Raja Cholan Nagar,  
Srinivasapuram,  
Thanjavur - 613 009.

... Petitioner

Vs.

1.The Director of School Education,  
Office of the Directorate of School Education,  
D.P.I. Campus, College Road,  
Chennai.

2.The Chief Education Officer,  
Chief Education Office,  
Panagal Building,  
Thanjavur.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.09.2024 and to grant Recognition and Approval in favour of the Dr.K.P.V.School CBSE, situated at Raja Raja Cholan Nagar, Srinivasapuram, Thanjavur - 613 009 within the time stipulated by this Court.



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For Petitioner : Mr.S.Venkatesan

For Respondents : Mr.T.Amjad Khan,  
Government Advocate

**ORDER**

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.This writ petition is filed to direct the respondents to consider the petitioner's representation dated 02.09.2024 and to grant Recognition and Approval in favour of Dr.K.P.V.School CBSE, situated at Raja Raja Cholan Nagar, Srinivasapuram, Thanjavur - 613 009.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.

4.When the matter was taken up for hearing, the learned Government Advocate appearing for the respondents, Mr.T.Amjad Khan, on instructions submitted that the approval which has been obtained by the school from the local authorities is for construction of a Matriculation school. However, the approval which is sought for



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now is with respect to the C.B.S.E. school. Hence, there is an  
impediment in considering the petitioner's representation.  
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5.Per contra, the learned counsel for the petitioner submitted that though the school obtained permission at the earliest for the establishment of a Matriculation school, later when the educational agency decided to convert the same as a C.B.S.E. School, proper amendment was carried out in the building plan, and due proper approval has already been obtained from the local authorities as early as in the year 2018 itself. Hence, the representation made by the petitioner with respect to the grant of approval for running a C.B.S.E. school can very well be considered by the respondent authorities.

6.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to



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dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

7.In view of the said submission made by the learned Government Advocate, this Court hereby direct the respondents to consider the petitioner's representation dated 02.09.2024 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of on these terms. There shall be no order as to the costs.

**21.01.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Sml  
To

1.The Director of School Education,  
Office of the Directorate of School Education,  
D.P.I. Campus, College Road,  
Chennai.

2.The Chief Education Officer,  
Chief Education Office,  
Panagal Building,  
Thanjavur.



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**W.P.(MD).No.1392 of 2025**

**L.VICTORIA GOWRI, J.**

Sml

**W.P.(MD).No.1392 of 2025**

**21.01.2025**



W.P(MD)No.11507 of 2021

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 11.01.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.11507 of 2021**

K.P.V.Kandapalanivel,  
Correspondent,  
Dr.K.P.V.School, CBSE,  
6/2B,6/2C Raja Raja Cholan Nagar,  
Srinivasapuram,  
Thanjavur – 613 009.

... Petitioner

Vs

1.The Director of School Education,  
Office of the Directorate of School Education,  
D.P.I.Campus, College Road,  
Chennai.

2.The Chief Educational Officer,  
Chief Educational Office,  
Pangal Building, Thanjavur.

3.The Regional Director,  
Archaeological Survey of India,  
Chennai Circle,  
Chennai – 600 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the record, ralating to the impugned order letter on Na.Ka.No.014885/G.E1/2019 dated



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09-03-2021 issued by the first respondent through the communication sent by the second respondent dated 24.03.2021 and to quash the same and direct the first respondent to issue No objection certificate and grant of recognition in favor of Dr.K.P.V.School, CBSE, Raja Raja Cholan Nagar, Srinivasapuram, Thanjavur - 613 009.

For Petitioner : Mr.S.Venkatesan

For Respondents : Mr.S.Shaji Bino  
Special Government Pleader  
for R.1 & R.2

### **ORDER**

Heard the learned counsel on either side.

2. The petitioner is running a school what has been classified as “Heritage zone” in Thanjavur. The petitioner seeks recognition from Central Board of Secondary Education (CBSE). This requires issuance of No Objection Certificate from the third respondent. As and when the petitioner obtains No Objection Certificate from the third respondent, the petitioner can very well approach the educational authorities for appropriate relief. With this liberty to the writ petitioner, this writ petition is disposed of. There shall be no order as to costs.

**11.01.2023**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
MGA



W.P(MD)No.11507 of 2021

To

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1. The Director of School Education,  
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W.P(MD)No.11507 of 2021

**G.R.SWAMINATHAN, J.**

MGA

W.P(MD)No.11507 of 2021

11.01.2023



# NOC Online Application And Processing System (NOAPS)

National Monuments Authority

(Ministry of Culture)

COMPETENT AUTHORITY

Competent Authority For State of Tamil Nadu

The Competent Authority (Southern Region) Archaeological Survey of India

Chennai Circle, Fort St. George,

Chennai-600009

(UNDER SECTIONS 20C AND 20D OF AMASR ACT, 1958)

Form IV

Grant of permission for undertaking construction/reconstruction/repair/renovation in the regulated area of the protected monument/archaeological site and remains declared as of national importance under the Ancient Monuments and Archaeological Sites and Remains Act, 1958

(see rule 12)

Whereas, Shri Shri. K. Karthik, applicant has applied for permission for Construction ,6/2C, THANJAVUR, Thanjavur, Tamil Nadu in the Regulated Area near or adjoining SIVAGANGA LITTLE FORT ENCLOSING THE GREAT TEMPLE, in Thanjavur, Tamil Nadu and has undertaken to observe the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and rules, made there under, I, Competent Authority Tamil Nadu, Competent Authority, do hereby grant this permission on the basis of the approval/recommendation of the National Monuments Authority under rule 11 of Ancient Monuments and Archaeological Sites and Remains (Framing of Heritage Bye-Laws and Other Functions of the Competent Authority) Rules, 2011 to the said Shri Shri. K. Karthik for Construction of G+2 with the total height of 10.96 metres (including mummy, parapet, water-tank etc.) with building height not to exceed 9.96 metres with floor area of Ground floor = 101.46 Sq.mts, First floor = 101.46 Sq.mts, Second floor = 101.46 Sq.mts, open space area = 816.75 Sq.mts, N/A at 6/2C, THANJAVUR, Thanjavur, Tamil Nadu.

The permission is granted subject to the provisions of the Act and the Rules and is further subject to the following conditions, namely, that the applicant shall:

i) As per prevailing development regulations and building rules. ii) Prior permission must be obtained from the Competent Authority for any further construction or increase in height. iii) The recommendation of the Authority and grant of permission by the Competent Authority is subject to the applicant obtaining other required clearances/NOCs from relevant agencies.

The permission is not transferable and it shall be valid for a period of three years commencing with 5th October 2024

Station:

Competent Authority

Date:

Competent Authority For State of Tamil Nadu

[Click Here to view Approved Typical Floor Plan](#)



Application Id : NOC-TN-2024-9702

Dated : 27-08-2024 17:33:03:PM

# NOC Online Application And Processing System (NOAPS)

National Monuments Authority

(Ministry of Culture)

[Click Here to view Approved Section Document](#)

[Click Here to view Approved Elevation Document](#)

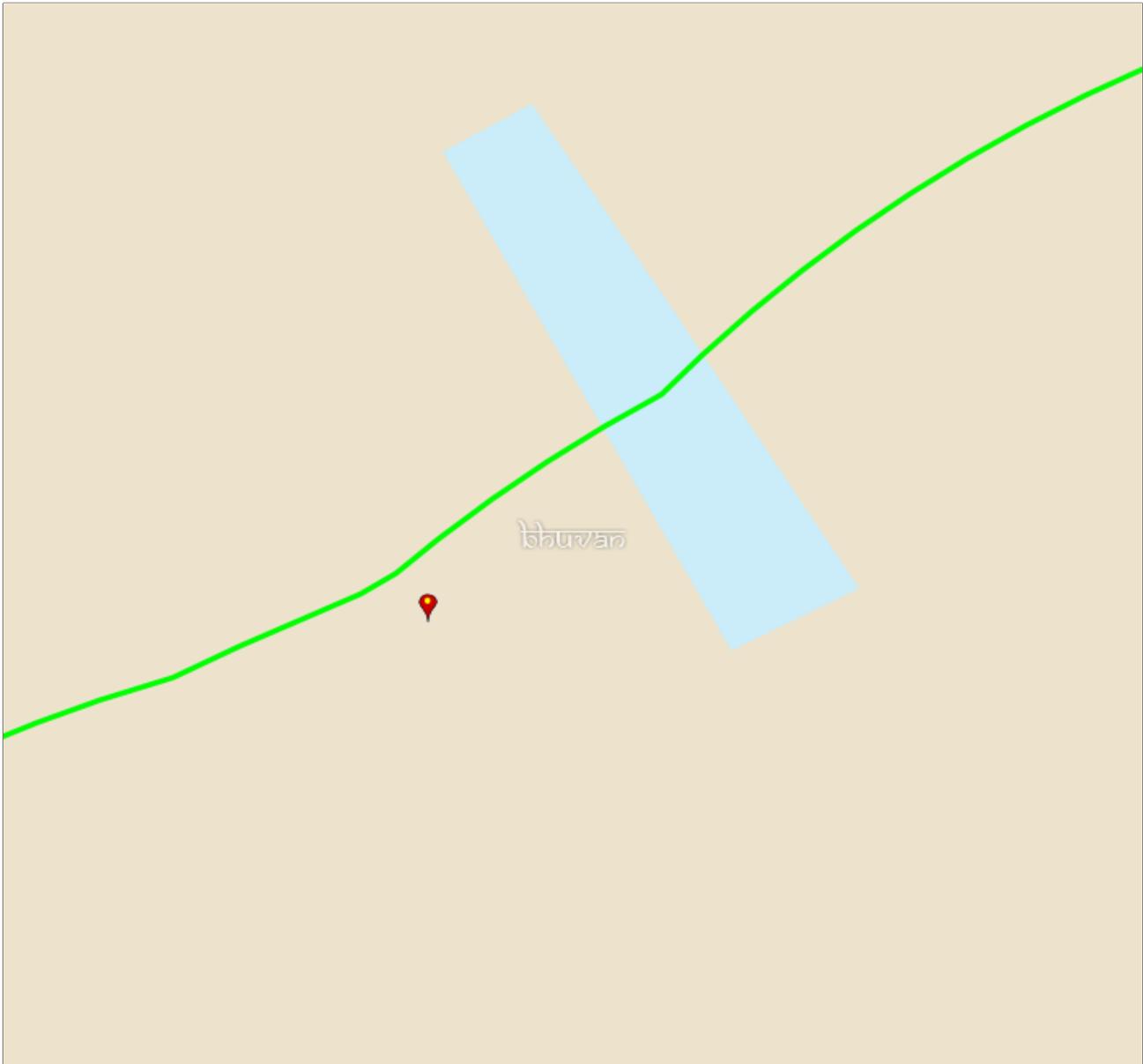


# NOC Online Application And Processing System (NOAPS)

National Monuments Authority

(Ministry of Culture)

Smart Smarac Details



S.No.	Feature Type	Smart Smarac Data
1	Feature Type	point
2	Application Id	NOC-TN-2024-9702
3	Monument Number	CHETN397
4	Monument Name	Sivaganga little fort enclosing the Great Temple
5	Circle	Chennai Circle
6	State	Tamil Nadu



# NOC Online Application And Processing System (NOAPS)

National Monuments Authority

(Ministry of Culture)

7	District	Thanjavur
8	Proposed Location	Thanjavur
9	Proximity Status	Regulated Area (3)

S.No.	Longitude	Latitude	Height
1	79.1287451	10.7878615	-15.9

