

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 15702/2021

(Arising out of impugned judgment and order dated 31-03-2021 in WAMD No. 76/2019 passed by the High Court of Judicature at Madras at Madurai)

THE SECRETARY TO GOVERNMENT & ORS.

Petitioner(s)

VERSUS

IRUTHAYA AMALI & ANR.

Respondent(s)

(IA No. 126805/2021 - EXEMPTION FROM FILING O.T.
IA No. 76518/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES)

WITH

SLP(C) No. 1941/2022 (XII)
(FOR ADMISSION)

SLP(C) No. 18207/2022 (XII)
(IA No. 124414/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 124416/2022 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 17998/2022 (XII)
(IA No. 117067/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 117069/2022 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 21857/2022 (XII)
(IA No. 124750/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 124752/2022 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 9951/2022 (XII)
(FOR ADMISSION and I.R. and IA No.79818/2022-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.79817/2022-EXEMPTION FROM
FILING O.T.)

SLP(C) No. 12693/2022 (XII)
(IA No.99083/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Diary No(s). 23687/2022 (XII)
(FOR ADMISSION and I.R. and IA No.127019/2022-CONDONATION OF DELAY
IN FILING and IA No.127020/2022-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)

Diary No(s). 26456/2022 (XII)
(..FOR ADMISSION and I.R. and IA No.121975/2022-CONDONATION OF
DELAY IN FILING and IA No.121977/2022-EXEMPTION FROM FILING C/C OF
THE IMPUGNED JUDGMENT)

Diary No(s). 37372/2022 (XII)
(IA No.197150/2022-CONDONATION OF DELAY IN FILING and IA
No.197152/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 5742/2023 (XII)
(FOR ADMISSION and I.R. and IA No.48590/2023-CONDONATION OF DELAY
IN FILING and IA No.48592/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.48588/2023-CONDONATION OF DELAY IN
REFILING / CURING THE DEFECTS)

Diary No(s). 17505/2023 (XII)
(FOR ADMISSION and I.R. and IA No.109393/2023-CONDONATION OF DELAY
IN FILING and IA No.109395/2023-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.109398/2023-EXEMPTION FROM FILING O.T.
IA No. 109393/2023 - CONDONATION OF DELAY IN FILING
IA No. 109395/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 109398/2023 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 9887-9888/2022 (XII)
(FOR EXEMPTION FROM FILING O.T. ON IA 73557/2022 FOR EXEMPTION FROM
FILING C/C OF THE IMPUGNED JUDGMENT ON IA 73558/2022
IA No. 73558/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 73557/2022 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 21418/2022 (XII)
(IA No.181858/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.181857/2022-EXEMPTION FROM FILING O.T.)

Diary No(s). 35459/2023 (XII)
(IA No.179824/2023-CONDONATION OF DELAY IN FILING and IA
No.179825/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
and IA No.179826/2023-EXEMPTION FROM FILING O.T.)

Date : 27-09-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Jaideep Gupta, Sr. Adv.
Mr. Sanjay R. Hegda, Adv.
Mr. K. Radhakrishnan, Sr. Adv.
Mr. D.kumanan, AOR
Mr. Sheikh F Kalia, Adv.
Mrs. Deepa. S, Adv.
Ms. Akanksha Mehta, Adv.

For Respondent(s) Dr. Fr. Xavier Arulraj, Sr. Adv.
Mr. V. Balaji, Adv.
Ms. A. Arul Mary, Adv.
Mr. Asaithambi Msm, Adv.
Mr. Atul Sharma, Adv.
Mr. Anandan G, Adv.
Mr. Sasikumar B, Adv.
Mr. Nizamuddin, Adv.
Mr. Rakesh K. Sharma, AOR

Mr. A. Selvin Raja, AOR

Mr. Romy Chacko, AOR
Mr. Prashant Kumar, Adv.
Mr. Sachin Singh Dalal, Adv.
Mr. Robin V.s., Adv.

Ms. Rachana Srivastava, Sr. Adv.
Mrs. Mona K. Rajvanshi, AOR
Mr. Ashwani Kumar, Adv.

Mr. S. Nagamuthu, Sr. Adv.
Mr. M.p. Parthiban, AOR
Ms. Priyaranjani Nagamuthu, Adv.
Mr. R. Sudhakaran, Adv.
Mr. T. Hari Haran Sudhan, Adv.
Mr. Bilal Mansoor, Adv.
Mr. Shreyas Kaushal, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Heard the learned counsel appearing for the parties in these proceedings.

It needs to be said that when this case was taken up on 10.08.2022, the direction in Para 95(a) given by the High Court in the impugned judgment (dated 31.03.2021) was noted. The said Para 95(a) reads as under:

“95. In view of the aforesaid discussions, we are inclined to pass the following orders in this batch of cases:

“(a) For the purpose of fixing the students-teacher ratio, the provisions of RTE Act followed by the G.O. passed in this regard shall be taken as the basis and

the student pupil ratio shall be either 1:30 or 1:35
as the case may be as per the provisions of RTE Act.

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This Court's earlier order on 22.07.2022 will indicate that:

"There will be a stay of the operation of the
impugned judgment passed by the High Court till the
next date of hearing".

The learned counsel for the State of Tamil Nadu however points
out that a new law i.e., Tamil Nadu Private Schools (Regulations)
Act, 2018 & Rules, 2023 is enacted w.e.f. 20.01.2023 and therefore
at the time of approval for the teacher in the concerned schools,
the incumbent and the concerned schools will have to meet the
criteria laid down in the 2023 Regulations.

On the above, Dr. Fr. Xavier Arulraj, learned senior counsel
would point out that status quo order was passed on 21.04.2023 by
the Division Bench of the High Court on the operation of the 2023
Regulations. However, the High Court is yet to finally adjudicate
those pending proceedings.

SLP(C) Nos. 9887-9888 of 2022

The Registry would take note of the de-tagging order passed by
this Court on 10.08.2023 in respect of SLP(C) Nos. 9887-9888 of
2022 and take necessary steps for the de-tagged matter.

(NITIN TALREJA)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR