

New Private Schools Act | Madras High Court grants time till June 25 for T.N. to consider exempting minority institutions.

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The Madras High Court on Monday, April 8, 2024, granted time till June 25 for the Tamil Nadu government to take a call on a representation made by minority schools to exempt them from certain provisions of the Tamil Nadu Private Schools (Regulation) Act of 2018, which came into force in 2023.

Mary Sowmi Rexi said the challenge made by the schools to most of the provisions would become infructuous if the representation was considered positively. He said, the representation had been made under Section 19 of the 2018 Act, which empowers the government to exempt minority schools from such provisions of the Act, or the rules or orders issued thereunder, which may impinge upon the minority character of the schools run by religious and linguistic minorities.

The first Bench also extended till the next hearing, an interim order of status quo ante to be maintained as on December 17, 1975, when a Division Bench of the High Court had declared as inapplicable, certain provisions of the Tamil Nadu Recognised Private Schools (Regulation) Act of 1973 and the statutory rules framed thereunder in 1974 to minority educational institutions.

In their present writ petitions, the minority schools contended that the new law enacted by the State legislature in 2018 and brought into force from 2023, were in violation of the Constitutional right of minorities to administer educational institutions. They contended that the provisions, which insist on obtaining permission from a competent authority to establish a private school and those which that unrestricted power to the competent authority to withdraw the recognition of any private school offended the rights of the minorities.

<https://www.thehindu.com/news/national/tamil-nadu/new-private-schools-act-madras-high-court-grants-time-till-june-25-for-tn-to-consider-exempting-minority-institutions/article68041920.ece>