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WP-13805-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 7th OF MAY, 2026WRIT PETITION No. 13805 of 2026*KANGAROO KIDS INTERNATIONAL PRE SCHOOL AND OTHERS**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Tej Singh Mahadik - Advocate for the petitioner.

Shri Dharmendra Nayak - Govt. Advocate for the respondent/State.

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ORDER

This petition under Article 226 of the Constitution of India has been filed by the petitioners seeking following reliefs:-

"(i) Issue a writ in the nature of mandamus directing the respondents not to interfere with the academic functioning of Petitioner No. 1 school, including its prescribed curriculum, teaching methodology and use of licensed study material, in any manner whatsoever;

(ii) Issue an appropriate writ, order or direction, quashing and setting aside the show cause notice dated 26.03.2026 (Annexure P6) and all consequential actions.

(iii) Issue an appropriate writ, order or direction directing the respondents to forthwith permit the supply of prescribed books, study material and curriculum kits to the students of Petitioner No. 1 through authorised channels, without any interference;

(iv) Issue an appropriate writ, order or direction restraining the respondents from taking any coercive action against the petitioners, including but not limited to any action pursuant to the show cause notice or otherwise, in relation to the subject matter of the present petition;

(v) Issue any other writ, order or direction which this Honourable Court may deem fit and proper in the facts and circumstances of the case."

Learned counsel for the petitioners submits that Petitioner No.1, namely



Kangaroo Kids International Preschool, Gwalior, is an educational institution established in the year 2015 and is engaged in imparting preschool education. Petitioner No.2, namely Palakk Academy of Learning Private Limited, is a company incorporated under the provisions of the Companies Act and is the entity owning and operating Petitioner No.1. The present petition has been preferred assailing the action of the respondents in lodging FIR bearing Crime No.101/2026 against the Director of the petitioner institution for the alleged offence punishable under Section 223(a) of the Bharatiya Nyaya Sanhita, 2023.

It is submitted that the impugned FIR has been registered on the allegation that, pursuant to a notification issued by the Collector, details regarding books, their rates, and particulars of the sellers were required to be published by educational institutions. According to the respondents, since such details were not published by the petitioner institution, a show-cause notice dated 26.03.2026 was issued to the petitioners. The said notice was duly replied to by the petitioners vide reply dated 27.03.2026 filed as Annexure P/7. However, without considering or deciding the objections and explanation furnished by the petitioners in the said reply, the respondents proceeded to register the impugned FIR on 30.03.2026.

Learned counsel further submits that the petitioner institution is merely a franchise unit of Kangaroo Kids International Preschool and does not possess or operate any independent website of its own. It is contended that a common website for all Kangaroo Kids International Preschool institutions has been created, operated, and exclusively controlled by Lighthouse Learning Private Limited, which also holds the copyright over the said website. Consequently, the petitioner institution has neither any authority nor any control or intervention in the operation, management, or contents of the said website.

It is further submitted that the entire educational material utilized by the



petitioner institution is developed, published, and copyrighted by the franchise headquarters. Such material is supplied to the franchise institutions from time to time through authorized vendors designated by the headquarters. The role and responsibility of the petitioner institution, being only a franchisee, is confined to the implementation of the curriculum prescribed by the franchisor. The petitioner institution has no role, commercial interest, or involvement in the development, publication, printing, pricing, or copyright of the educational material in question.

Learned counsel submits that all the aforesaid objections and explanations were specifically raised by the petitioners in their reply to the show-cause notice. However, without adjudicating upon the said reply or recording any finding thereon, the respondents mechanically proceeded to lodge the impugned FIR, which action is arbitrary, illegal, and unsustainable in law. It is, therefore, prayed that the impugned show-cause notice dated 26.03.2026 (Annexure P/6) and all consequential actions arising therefrom, including FIR bearing Crime No.101/2026, be quashed and set aside. Learned counsel for the petitioners has also placed reliance upon the judgment passed by the Hon'ble Division Bench at Principal Seat Jabalpur in a batch of writ appeals, including W.A. No.1778/2024, decided on 02.12.2025.

Heard.

The record reflects that the Collector had issued directions requiring educational institutions to disclose particulars relating to prescribed books, rates thereof, and details of sellers with a view to ensure transparency and to regulate complaints regarding arbitrary sale of educational material. Pursuant thereto, the petitioners were issued show-cause notice dated 26.03.2026 pointing out the alleged non-compliance. The petitioners submitted a reply thereto, however, a bare



perusal of the said reply demonstrates that no specific or satisfactory explanation was furnished regarding compliance of the directions issued by the competent authority.

The entire defence of the petitioners rests upon the plea that the website of the school is under the control of the developer of website and the petitioners have no authority over the same. Such explanation, in the considered opinion of this Court, is wholly vague, evasive, and misconceived. Merely because the petitioners are functioning as franchisees does not absolve them of their statutory and regulatory obligations qua the institution being operated by them. The students are admitted in the institution managed by the petitioners and all educational activities are being carried out under their supervision and administration. Therefore, compliance with lawful directions issued by the competent authorities cannot be avoided by shifting responsibility upon the alleged developer/operator of the website.

The contention that the developers or operators of the website possess exclusive rights and, therefore, the petitioners were incapable of making disclosures, is also devoid of substance. The reply submitted by the petitioners does not indicate any concrete steps having been taken for compliance of the directions issued by the Collector. The explanation furnished is thus nothing but an attempt to evade responsibility.

This Court, while exercising jurisdiction under Article 226 of the Constitution of India, would not ordinarily interfere with the process of investigation unless a clear case of abuse of process or patent illegality is made out. No such exceptional circumstance is made out in the present case.

The reliance placed by learned counsel for the petitioners upon the judgment rendered by the Division Bench in W.A. No.1778/2024 decided on



02.12.2025 is also misplaced. The said judgment was rendered in entirely different factual circumstances and on issues distinguishable from those involved in the present matter. The petitioners have failed to demonstrate as to how the ratio of the said judgment would apply to the facts of the present case. The said decision, therefore, does not advance the case of the petitioners in any manner.

Accordingly, no case for quashment of the impugned show-cause notice is made out. Consequently, the writ petition, being devoid of merit, is hereby **dismissed.**

(MILIND RAMESH PHADKE)
JUDGE

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