



WP(MD)No.23813 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.09.2023

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**WP(MD)No.23813 of 2023**  
**and**  
**WMP(MD)Nos.19986 to 19988 of 2023**

B.Chandra

... Petitioner

v.

- 1.The Union of India,  
Rep. by its Principal Secretary,  
Department of Sports,  
Room No.3, C-Wing,  
Shastri Bhavan,  
New Delhi – 110 001.
- 2.The Chairman,  
Central Board of Secondary Education (CBSE),  
Siksha Kendra,  
No.2, Community Center,  
Preet Vihar, Delhi – 110 092.
- 3.The Director – Academics,  
Central Board of Secondary Education (CBSE),  
Siksha Kendra,  
No.2, Community Center,  
Preet Vihar, Delhi – 110 092.



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4.The Deputy Secretary – Sports,  
Central Board of Secondary Education (CBSE),  
Siksha Sadhan,  
No.17, Rose Avenue,  
Institutional Area, Delhi – 110 002.

5.The Principal,  
Railway Higher Secondary School (CBSE),  
Railway Colony,  
Madurai – 625 016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned notification in CBSE/GAMES/2023 Circular No.Acad-100/2023 dated 23.08.2023 on the file of the third respondent, quash the same and consequently, directing the respondents to issue appropriate notification afresh pertaining to CBSE Sports and Games 2023-24 ensuring the participation of all CBSE Schools affiliated to the second respondent including the CBSE Schools registered in Government category also without any discrimination.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.Karthick  
for R.2 to R.5

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## **ORDER**

**WEB COPY** The petitioner has filed this writ petition as against the notification issued by the third respondent / Director – Academics, CBSE dated 23.08.2023 proposing to conduct games for the Academic Year 2023-24.

2.The grievance of the petitioner is that the third respondent is conducting the sports event particularly for the Private CBSE Schools and the Students who are studying in the Government CBSE Schools have been purposely eliminated from participating in the sports event.

3.When a request has been made from the fifth respondent / Railway Higher Secondary School (CBSE), the third respondent, by communication dated 11.09.2023, has stated that the Students of CBSE affiliated private category Schools alone can participate in the CBSE games and the Schools affiliated under Government category are not allowed to participate in the CBSE games. Aggrieved over the same, the petitioner has filed this writ petition challenging the notification dated 23.08.2023.



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4. Central Board of Secondary Education (CBSE) is a Government body and they are proposing to conduct a sports event. It is not that a private body is conducting any event. When a Government body is conducting a sports event for the Students, opportunity of participation should be provided to all the Students, irrespective of the fact that they are studying in a Government or in a Private School. Moreover, it is the specific case of the petitioner that in the previous year sports meets, all the Students were allowed to participate and the petitioner has also participated in the sports meets conducted in the previous years.

5. In response to this writ petition, learned Counsel for the third respondent / CBSE produced a written instruction that the third respondent has now taken a decision for allowing the Students of Railway Schools (CBSE) to participate in the CBSE games so as to promote sports amongst the youngsters. The Students can register upto 30.09.2023 and that the event would be conducted on 01.10.2023.



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6.This decision appears to have been taken only on 27.09.2023 (today) in the last minute, after the filing of this writ petition by the petitioner. The notification has been issued as early as on 23.08.2023, scheduling the sports meet on 01.10.2023. The Students of Private Schools would be preparing for the event for the past one month since the date of notification. Whereas, by permitting the Government School (CBSE) Students in the last minute to participate in the event, certainly, these Students would be in a disadvantageous position. Therefore, this Court directed the learned Counsel appearing for the respondents / CBSE to get instructions as to the possibility of postponing the event.

7.In response, the learned Counsel appearing for the respondents / CBSE, on instructions, submitted that they have decided to commence the sports meet from 05.10.2023, instead of 01.10.2023. He further submitted that all the category of Schools affiliated with CBSE, invariably, can participate in the event by registering themselves. The last date for registration is 30.09.2023 and the event would commence from 05.10.2023. This



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submissions made by the learned Counsel for the respondents / CBSE is

WEB recorded.

Accordingly, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

**27.09.2023**

NCC : Yes / No

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Note: Issue order copy by **27.09.2023**



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**B.PUGALENDHI, J.**

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