

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.13526 of 2014

Parents Union for Students Educational Rights (PUSER),
rep. by its President V.Venkatesan,
No.702/5, Junction Road,
Virudhachalam,
Cuddalore District-606 001. ... Petitioner

-vs-

1.State of Tamil Nadu,
rep. by the Chief Secretary to Government,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

2.The Secretary to Government,
Education Department,
Fort St. George,
Chennai-600 009.

3.The Director of School Education,
DPI Campus,
College Road,
Greams Road S.O.,
Chennai-600 006.

4.The Director of Matriculation Schools,
DPI Campus,
College Road,
Greams Road S.O.,
Chennai-600 006. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to implement pre-school education by introducing L.K.G. and U.K.G. Classes in all the Government Primary Schools and Elementary Schools as per Section 11 of the Right of Children to Free and Compulsory Education Act, 2009 from this academic year i.e, June 2014 forthwith and as per the guidelines enumerated in Dr.Muthukumaran Committee report, 2006

(Samacheer Report) that was constituted by G.O.Ms.No.159, School Education (C-2) Department dated 08.09.2006 along with the guidelines mentioned under the National Curriculum Frame Work, 2005.

For Petitioner : Mr.S.Meenakshi

For Respondents : Mr.T.N.Rajagopalan
Spl. G.P. (Edn)

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The prayer made is to implement pre-school education by introducing L.K.G. and U.K.G. Classes in the Government Primary Schools and Government Elementary Schools.

2. The submission of the learned counsel for the petitioner is that the parents are more keen to approach the private schools because they provide lower Classes, while in Government schools, by and large, such a provision is not there. The learned counsel for petitioner seeks to rely on Dr.Muthukumaran Committee Report, 2006, which was constituted by G.O.Ms.No.159, School Education (C-2) Department, dated 08.09.2006 and is stated to have submitted its report.

3. On the other hand, the learned Special Government Pleader (Education) submits that for young children, the benefit of Anganwadi schools are available, whereafter, they can be admitted from Class I onwards in Government schools.

4. The question, thus, would be whether L.K.G. and U.K.G. Classes are to be provided in Government schools.

5. In our view, the aforesaid is a policy decision to be taken by the Government, which may examine the stand of the petitioner, whether it is feasible and desirable that Government schools should also have L.K.G. and U.K.G. Classes.

6. A decision in this behalf be taken one way or the other within a maximum period of four months from today with intimation to the petitioner. While taking the decision, the respondents would keep in mind the recommendation of the Committee.

7. The writ petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chief Secretary to Government,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
- 2.The Secretary to Government,
Education Department,
Fort St. George,
Chennai-600 009.
- 3.The Director of School Education,
DPI Campus,
College Road,
Greams Road S.O.,
Chennai-600 006.
- 4.The Director of Matriculation Schools,
DPI Campus,
College Road,
Greams Road S.O.,
Chennai-600 006.

1 cc to Government Pleader, sr.35312
1 cc to M/s.S.Meenakshi, Advocate, sr.35377

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