



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2014

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE V.DHANAPALAN

W.P. (MD) .No.18423 of 2014 and

M.P.No.1 of 2014

C.Anantha Raj

: Petitioner

Vs.

1.Union of India,

Rep by its Secretary,

Department of Human Resource Development and

Development of School Education and Literacy,

Sasthiri Bhavan, A-Wing, Dr.Rajendra Prasad Road,

New Delhi 110 001.

2.The State of Tamil Nadu,

Rep by its Principal Secretary,

Department of School Education,

Secretariat, Fort.St.George, Chennai 600 009.

3.The Principal Secretary,

Public Works Department,

Secretariat, Fort.St.George, Chennai 600 009.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to put up sufficient number of toilets to all the Government Schools in the State of Tamil Nadu, where so far there was no toilet facilities and consequently directing the respondents to properly maintain dysfunctional toilets in the Government Schools, across the State of Tamil Nadu to ensure good health of students, by considering the petitioner's representation, dated 10.08.2014.

For Petitioner

: Mr.R.Alagumani

For Respondents

: Mr.VR.Shanmuganathan

Special Government Pleader

O R D E R

[Order of the Court was made BY The Hon'ble The **Chief Justice**]

The petitioner is concerned with the lack of toilet facilities in Government Schools. In this behalf, the petitioner has relied upon a Government Data for the year 2012, as set out in Paragraph No.9 of the petition. The Data shows that much was required to be done, though this Data is of the year 2012. The petitioner made a representation, on 10.08.2014, which has remained unaddressed.

2. There can be little dispute over the issue, which the petitioner seeks to raise of providing toilet facilities for boys and girls. In fact, at times, the absence of such facilities becomes deterrent for education for girls. The current situation as well as the progress made in the year 2012 is not available, though it ought to have been available on the Website. The Hon'ble Supreme Court issued directions in **Environment & Consumer Protection Foundation Vs. Delhi Admn - 2012 (7) MLJ 405 (SC)** for the Government to take necessary action.

3. We, thus, consider appropriate to issue the following directions:-

- The representation of the petitioner, dated 10.08.2014, shall be disposed of, within a maximum period of one month of the communication of this order.
- The Website of the Education Department should set out the Data as on 31.10.2014 in the same format, as in Paragraph No.9 of the petition, so that the public is aware of the progress made.
- The toilet facilities should be with adequate staff for cleaning the same and supply of water should also be available.
- A status report should be filed before this Court, indicating the progress made and how much more time would be required to ensure that all schools are with toilet facilities for both boys and girls.
- Such a status report should be filed within a period of one month from the date of receipt of copy of this order.

The Writ Petition stands disposed of with the aforesaid directions.No costs. Consequently, connected Miscellaneous Petition is closed.

List List the matter for compliance on 23.12.2014.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary, Union of India,
Department of Human Resource Development and
Development of School Education and Literacy,
Sasthiri Bhavan, A-Wing, Dr.Rajendra Prasad Road, New Delhi 110 001.

2.The Principal Secretary, Department of School Education,
Secretariat, Fort.St.George, Chennai 600 009.

3.The Principal Secretary, Public Works Department,
Secretariat, Fort.St.George, Chennai 600 009.

Copy To.

The Section officer, Writ Section,
Madurai Bench of Madras High Court, Madurai
+1cc to Special Government Pleader in SR.No. 61497.

TS/27.11.2014/2P-6C