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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE B.GOKULDAS

Suo Motu Writ Petition (MD)No.10923 of 2016

Registrar (Judicial)

Madurai Bench of Madras High Court

:Petitioner

Vs.

1.The District Collector,
Madurai.

2.The Chief Educational Officer,
Madurai.

3.The Principal/Headmaster,
Government Girls Higher Secondary School,
Vadipatti.

:Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to register this Writ Petition as a *suo motu* Writ Petition in public interest and issue a Writ of Mandamus, directing the respondents to give admission to Ms.T.Dhivya in plus one course in Government Girls Higher Secondary School in Vadipatti and thus render justice.

For Respondent : Mr.V.R.Shanmuganathan,
Spl.Govt.Pleader

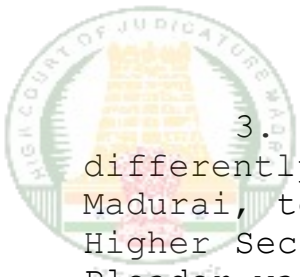
O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The Hindu published a news item today, indicating the difficulty of a differently abled girl affected with cerebral palsy to secure admission in Plus one course at the Government Girls Higher Secondary School in Vadipatti. After seeing the plight of a poor girl born to an agricultural labourer, we directed the Registrar (Judicial) to treat the news report as a petition and register a Writ Petition in public interest invoking Article 226 of the Constitution of India.

2. When the Writ Petition was taken up for hearing at 11.00 a.m. We directed Thiru.VR.Shanmuganathan, learned Special Government Plader to take notice on behalf of the respondents.

<https://hccasescourts.org.in/hccservices/> we heard the learned Special Government Pleader.



3. Since there was no ground to deny admission to the differently abled girl, we directed the Chief Educational Officer, Madurai, to give her admission to plus one at the Government Girls Higher Secondary School, Vadipatti. The learned Special Government Pleader was directed to report compliance by 01.30 p.m.

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4. When the matter was taken up at 02.15 p.m., the learned Special Government Pleader produced the letter sent by the Headmistress, Government Girls Higher Secondary School, Vadipatti, giving admission to Ms.T.Dhivya, in plus one course at the Government Girls Higher Secondary School, Vadipatti. We were informed by the Chief Educational Officer, who was present in Court, that the School would re-open on 23.06.2016 and the student would be given all the support to complete her course successfully.

5. The news report published by the Madurai Edition of Hindu shows the difficulties of a differently abled girl to secure School admission, notwithstanding the fact that there is a local Government Higher Secondary School. She was denied admission solely on the ground that she can write the examination only with the help of a scribe. In case a student wanted the help of a scribe to write the examination, it is the bounden duty of the School Authorities to engage a scribe. Even with 65% disability, this poor girl secured 75% marks in class 10. Even then, she was dragged from pillar to post for admission to plus one course and that too, in a Government Institution for girls.

6. The School Authorities must be sensitive to the cause of students especially, those who are differently abled. In fact, the differently abled student was motivated by her Social Science Teacher, who is visually challenged. It was the said teacher who prompted the student T.Dhivya to pursue her higher studies so as to become a Computer Engineer. Even then, the School and the Educational Authorities have adopted an indifferent attitude resulted in taking a decision by the father of the student to stop her further studies.

7. The efforts taken by the Reporter of Hindu helped the poor girl to secure admission. We express our appreciation of the timely action taken by Thiru.Pon Vasanth Arunachalam, Reporter, Hindu, to highlight the difficulties of a poor student with 65% disability to secure admission.

8. We direct the Chief Educational Officer, Madurai and the Headmistress, Government Girls Higher Secondary School, Vadipatti to give support and encouragement to Ms.T.Dhivya to pursue her education. The Educational Authorities are, further, directed to provide the assistance of a specialised teacher for practical and a scribe for writing the examination. In short, it is the bounden duty of the Educational Authorities to give a helping hand to this



differently abled girl to achieve her dream of becoming a Computer Engineer.

9. The Suo Motu Writ Petition is disposed of with the above direction. No costs.

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Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1.The District Collector, Madurai.

2.The Chief Educational Officer, Madurai.

3.The Principal/Headmaster,
Government Girls Higher Secondary School, Vadipatti.

4. The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

Suo Motu Writ Petition (MD)No.10923 of 2016
Dated: 21.06.2016

sml

PBK/AAL-MPA/SAR-II 21/06/2016 ::3P-5C:: (IT)