

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2017

CORAM :

The Hon'ble MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE  
AND

The Hon'ble MR.JUSTICE K.KALYANASUNDARAM

W.P.No.4532 of 2017

T.S.Sankar

.. Petitioner

-vs-

1.The Commissioner,  
Navodaya Vidyalaya Samite,  
B-15, Institutional Area,  
Sector 62, Noida - 201 307,  
District Gautam Budh Nagar,  
Uttar Pradesh.

2.The State of Tamil Nadu,  
rep. by its Secretary to Government,  
School Education Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.

... Respondents

Writ Petition filed under Article 226 of the  
Constitution of India praying for issue of Writ of  
Mandamus directing the respondents to start the Navodaya  
Schools in every District of Tamil Nadu within a time  
frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.A.Asuvathaman

For Respondents : Mr.T.N.Rajagopalan  
Spl. G.P. for R2

ORDER

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

Mr.T.N.Rajagopalan, learned Special Government  
Pleader takes notice for the second respondent.

2. The petitioner has filed this writ petition seeking issuance of a writ of Mandamus directing the respondents to start the Navodaya Schools in every District of Tamil Nadu within a stipulated time.

3. It is the case of the petitioner that by virtue of National Educational Policy-1986, Navodaya Vidyalaya Scheme was initiated with an object to set up residential schools to bring out the rural talent. It is stated that Navodaya Schools are set up in all States, including Andaman and Nicobar Islands, but for the past 30 years the same were not set up in Tamil Nadu. The petitioner sent representation in this regard to the Chief Secretary on 16.6.2016, but no action was taken. Hence, the petition to direct the respondents to start Navodaya Schools in every district.

4. The Directive Principles of the State Policy enjoin the State to take all protective measures to which a social welfare State is committed. The State Government in tune with the said principles implemented various schemes. Coming to the scheme of hand, i.e., Navodaya Vidyalaya Scheme, it is for the second respondent to take a decision as to whether such scheme should be implemented or not taking note of the number of schools in the State and whether they are sufficient to cater to the needs of the public. No specific direction can be issued in this regard.

The writ petition is dismissed. No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Commissioner,  
Navodaya Vidyalaya Samite,  
B-15, Institutional Area,  
Sector 62, Noida - 201 307,  
District Gautam Budh Nagar, Uttar Pradesh.
  - 2.The Secretary to Government  
State of Tamil Nadu,  
School Education Department,  
Secretariat, Fort St. George, Chennai - 600 009.
- + 1 cc to Mr.A. Asuvathamas, Advocate SR.11924

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PA (CO)  
EU 10.03.17