



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.16176 of 2017

S.Karuppiah

.. Petitioner

Vs.

1. State of Tamil Nadu represented by
The Principal Secretary,
Social Welfare and Nutritious
Meal Programme Department,
State of Tamil Nadu,
Secretariat, Chennai -600 009.
2. The State Commissioner for the Differently Abled,
Commissionerate for the Welfare of the Differently Able,
State of Tamil Nadu, Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.
3. The District Collector,
Office of the District Collector,
Virudhunagar District.
4. The Superintending Engineer,
Public Works Department,
Virudhunagar,
Virudhunagar District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take immediate action to construct adequate number of toilets and repair the existing toilets with adequate water supply and to renovate the school and hostel building and repair the electric connection, internet connection, Xerox machine of the Government high School for the Deaf, Sulakkarai Virudhunagar District and to take immediate action to fill the vacancies of Head Master, Warden and other seven staffs of the Government High School for the Deaf, Sulakkarai, Virudhunagar District within the time stipulated by this Hon'ble Court.

**O R D E R**

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

The petitioner filed this Writ Petition in *pro bono publico* to direct the respondents to take immediate action for construction of building including toilets for the Government High School for the Deaf, Sulakkarai, Virudhunagar District.

2. There is also a prayer for direction to the respondents to fill up the vacancies in the post of Head Master, Warden and other employees for the Institution meant for Deaf.

3. According to the petitioner, the Government High School for the Deaf, Sulakkarai, Virudhunagar District has been functioning since 1981. The School has capacity to accommodate 100 children from standards I to XII. The Government had sanctioned 13 teaching posts and one post of Head Master. There are only 49 children including 19 girls, who are studying during the current academic year.

4. It is the grievance of the petitioner that the Government has not taken any action for repairing the buildings including toilets and for providing electricity connection. Similarly, action has not been taken for filling up the post of Head Master and other teachers. The petitioner, therefore, submitted comprehensive representations dated 13.07.2017 and 22.08.2017 to the respondents. Since follow up action was not taken, the petitioner is before this Court.

5. The learned Additional Government Pleader, on instructions, submitted that the Government has already filled up the post of Headmaster and as such, the question is only with regard to filling up the remaining posts. The learned Additional Government Pleader, by producing a copy of the proceedings dated 24.08.2017, submitted that the Government has sanctioned a sum of Rs.17,00,000/- (Rupees Seventeen Lakhs only) for undertaking various development works for the Institution. According to the learned Additional Government Pleader, the funds would be used for repair and renovation of the institution.

6. The materials produced by the petitioner shows the way in which an Institution for Deaf is treated by the Government. In the case of such special Schools, Government must be sensitive to the need of special children.

7. The second respondent is directed to take immediate action for filling up the vacancy in the posts of Warden and other employees, so as to enable the Institution to work with full strength. Since the Government High School is meant for deaf, every effort shall be taken by the respondents and more particularly by the second respondent to make it up as a full-fledged institution



and to achieve the goal for which it was established.

8. We hope and trust that the Government will allot necessary funds and fill up the posts, so as to enable the Institution meant for the Deaf to function effectively, taking into account the larger public purpose.

9. The learned Counsel for the petitioner, by placing reliance on the details furnished by him in the Paragraph No.7 of the affidavit filed in support of the Writ Petition submitted that similarly 10 other Institutions are functioning across the State. They are also functioning without proper staff and facilities. We do hope that the respondents 1 and 2 would provide necessary funds and facilities to all the other similarly situated Institutions to function, keeping in view the larger public purpose shown by the Government while establishing the Institutions for Deaf.

10. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Principal Secretary,
State of Tamil Nadu
Social Welfare and Nutritious
Meal Programme Department,
State of Tamil Nadu,
Secretariat, Chennai -600 009.
2. The State Commissioner for the Differently Abled,
Commissionerate for the Welfare of the Differently Able,
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3. The District Collector,
Office of the District Collector,
Virudhunagar District.
4. The Superintending Engineer,
Public Works Department,
Virudhunagar, Virudhunagar District.

+ 1 CC TO Mr.R.ALAGUMANI, ADVOCATE IN SR No. 78193

KM/SSL

TE/SKN-RSK/SAR-II : 20/09/2017 : 3P/6C

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ORDER MADE IN
W.P. (MD) No.16176 of 2017
12.09.2017