



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM:

WEB COPY

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

W.P. (MD) No.17238 of 2017

C.Rajiv Raja

: Petitioner

Vs.

1. The Chief Secretary,
State of Tamil Nadu,
The Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.
3. The Secretary to Government,
Law Department,
Fort St. George,
Chennai - 600 009.
4. The Director of Legal Studies,
Dr.Ambedkar Law University,
Purasaiwakkam,
Chennai - 600 010.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.07.2017 to the first respondent and to consider the petitioner's representation dated 07.07.2017 to respondents 2 to 4 and to pass necessary order to make the basic law as one of the subject as compulsory in XI and XII Standards in School irrespective of Syllabus pattern and it has to be taught only by the qualified law graduates.

For Petitioner

: Mrs.Devasena

For Respondents

: Mr.M.Govindan,

Special Government Pleader.

**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 second respondent to make basic law as one of the compulsory subjects in Classes XI and XII in the Educational Institutions across the State, irrespective of the Syllabus pattern and employ qualified Law Graduates to take classes in basic law.

2. The petitioner is a third year student of L.L.B. Course studying at Madurai Government Law College. According to the petitioner, on account of the ignorance with respect to the profession of law, the students are not in a position to prepare for the Common Law Admission Test, which is a centralized test for admission to the 18 prominent National Law Universities in India. The children are now opting Law only as a last option when they are not in a position to obtain admission for Medical or Engineering course. The petitioner, therefore, submitted a representation to the second respondent dated 07 July, 2017, with a request to make the basic law as a compulsory subject for XI and XII.

3. We have heard the learned counsel for the petitioner. We have also heard the learned Special Government Pleader appearing on behalf of the respondents.

4. We are not in agreement with the submission made by the petitioner that the students are preferring Law only as a last resort. The selection process initiated by the Law Universities and more particularly, the fourth respondent clearly indicates that there was a heavy rush for admission to the Law Courses. In fact, the results published by Dr.Ambedkar Law University during the academic session 2017-2018 indicates that only those who secured 98% and above in the XII examination alone got admission for the Law Course. Such being the factual position, the petitioner is not correct in his submission that the students are not aware of the importance of Law as a subject.

5. The circular issued by the Central Board of Secondary Education for the academic year 2014-2015 indicates that there was a decision to introduce Law Curriculum for Classes 11 and 12 from the academic year 2014-2015. The CBSE appears to have taken a decision to introduce Law Curriculum for Classes 11 and 12 from 2014-2015 as a pilot project in 200 Schools in India and Abroad. According to the CBSE, the Schools affiliated to the Board would offer legal studies subject as one of the elective subjects along with three other elective subjects and language. The students would be taught general common Law in Class 11 and detailed study on specific topics like Hindu Law, Muslim Law, etc., in Class 12. The syllabus would be designed in such a manner as to serve even those students in their future life, who are not taking law as their career. We are not aware as to whether CBSE actually introduced Law Curriculum for Classes 11 and 12 as indicated above. In any case, the circular



issued by CBSE clearly gives an indication that there is a scope for including legal studies in Classes 11 and 12.

6. The Government has now constituted a Committee under the Chairmanship of Professor Ananda Krishnan, Former Vice Chancellor, Anna University. The Committee is now seized of the matter. It is for the State to decide as to whether the basic Law should be introduced as a subject for XI and XII. Since the Committee is now deliberating on the issue regarding reforms to be made in the system of education, we direct the second respondent to forward the representation submitted by the petitioner to the Committee, so as to enable the Committee to consider the suggestions for incorporating basic Law also a subject. We make it clear that we have not expressed any opinion on the merits of the suggestions given by the petitioner and it is for the Committee to take a decision in the matter and ultimately, for the Government to implement it, taking into account the merits of the matter.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Secretary,
State of Tamil Nadu,
The Secretariat,
Fort St. George,
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4. The Director of Legal Studies,
Dr.Ambedkar Law University,
Purasaiwakkam, Chennai - 600 010.

+ 2 CC TO Mr.S.DEVASENA, ADVOCATE IN SR Nos. 78448, 78869
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79029

SML/KM

TE/GT/SAR-IV : 23/10/2017 : 3P/8C

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Order made in
W.P. (MD) No.17238 of 2017
Dated: 13.09.2017