

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.10271 of 2018
and W.M.P.No.12202 of 2018

Parents Union for Students Educational Rights (PUSER),
rep.by its President,
V.Venkatesan,
702/5, Junction Road, Virudhachalam,
Cuddalore District-606 001. Petitioner

-vs-

- 1.The State of Tamil Nadu
rep.by the Chief Secretary to Government,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Secretary to Government,
Education Department
Fort St.George,
Chennai-600 009.
- 3.The Secretary to Government,
Department of Rural and Municipal Administration
Fort St.George,
Chennai-600 009.
- 4.The Directorate of Municipal Administration
rep.by its Director, Municipal Administration
Chepauk, Chennai.
- 5.The Directorate of School Education,
rep.by its Director, School Education
DPI Complex, College Road,
Chennai.
- 6.The Directorate of Elementary Education,
rep.by its Director, Elementary Education
DPI Complex, College Road,
Chennai. Respondents

Petition filed under Article 226 of the Constitution of
India, for issuance of a Writ of Mandamus directing the
<https://hcservices.ecourts.gov.in/hcservices/>

respondents to extend the pre-school education of L.K.G and U.K.G classes in all the Primary Schools and Elementary Schools owned and administered by the Municipal Corporations and Municipalities and in all other Municipal Town and Village Panchayat bodies across the State of Tamil Nadu under the aegis of the fourth respondent as it is implemented in the similar schools at Chennai, in the present and forthcoming academic years.

For Petitioner :: Ms.S.Meenakshi

For Respondents:: Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

ORDER

(Made by HULUVADI G.RAMESH, J.)

This writ petition has been filed as a Public Interest Litigation to direct the respondents to extend the pre-school education of L.K.G and U.K.G classes in all the Primary Schools and Elementary Schools owned and administered by the Municipal Corporations and Municipalities and in all other Municipal Town and Village Panchayat bodies across the State of Tamil Nadu, under the aegis of the fourth respondent as it is implemented in the similar schools at Chennai, in the present and forthcoming academic years.

2.It is stated by the petitioner that the petitioner Association has been espousing the cause of the educational rights of the students and for promoting the participation of the parents and society to uplift and improvise the educational standards meant for children and that the Association has effectively played its part in implementing the fee limits imposed by the Statutory Committee across the private schools in Tamil Nadu. The petitioner states that the Corporation of Chennai has introduced Kindergarten education in 30 Primary and Middle schools in the year 1996 and today, the intake of children for the Kindergarten education in the schools coming under the Corporation of Chennai are higher. Taking note of the same, the petitioner states that the same system has to be recommended to the other constituting bodies such as Municipal Corporations, Municipalities, Town Panchayats and Village Panchayats in Tamil Nadu, by extending the policy adopted in the Chennai Corporation Schools.

3.Amongst many contentions raised, the learned counsel for the petitioner has mainly emphasised that Article 45 of the Constitution of India and the Right to Free Education Act endeavours the State to provide early childhood care and to provide education below the age of six. Stating so, she prayed for the direction as sought for in this writ petition.

4.Heard the learned Special Government Pleader appearing for the respondents on the submissions made by the learned counsel for the petitioner.

5.The petitioner wants the pre-school education of LKG and UKG which is followed in the Chennai Corporation Schools, to be extended to the schools maintained by the other constituting bodies such as Municipal Corporations, Municipalities, Town Panchayats and Village Panchayats in Tamil Nadu.

6.The matter involves policy decision of the Government. Policy decisions are taken by the Government from time to time, taking note of the various parameters and principles, as a matter of social change. Already the Government is having the Scheme of Anganwadi by which the children before joining the I Standard, are taken care of. The Government is taking policy decisions from time to time, as a matter of social change and in such view of the matter, issuing the direction as sought for by the petitioner, would be redundant, as already several schemes are in vogue.

7.With the above observation, the writ petition is dismissed. No costs. Consequently the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KM

To

1.The Chief Secretary to Government,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.

2.The Secretary to Government,
Government of Tamil Nadu,
Education Department
Fort St.George,
Chennai-600 009.

3.The Secretary to Government,
Government of Tamil Nadu,
Department of Rural and Municipal Administration
Fort St.George,
Chennai-600 009.

4.The Director, Municipal Administration
Directorate of Municipal Administration
Chepauk, Chennai.

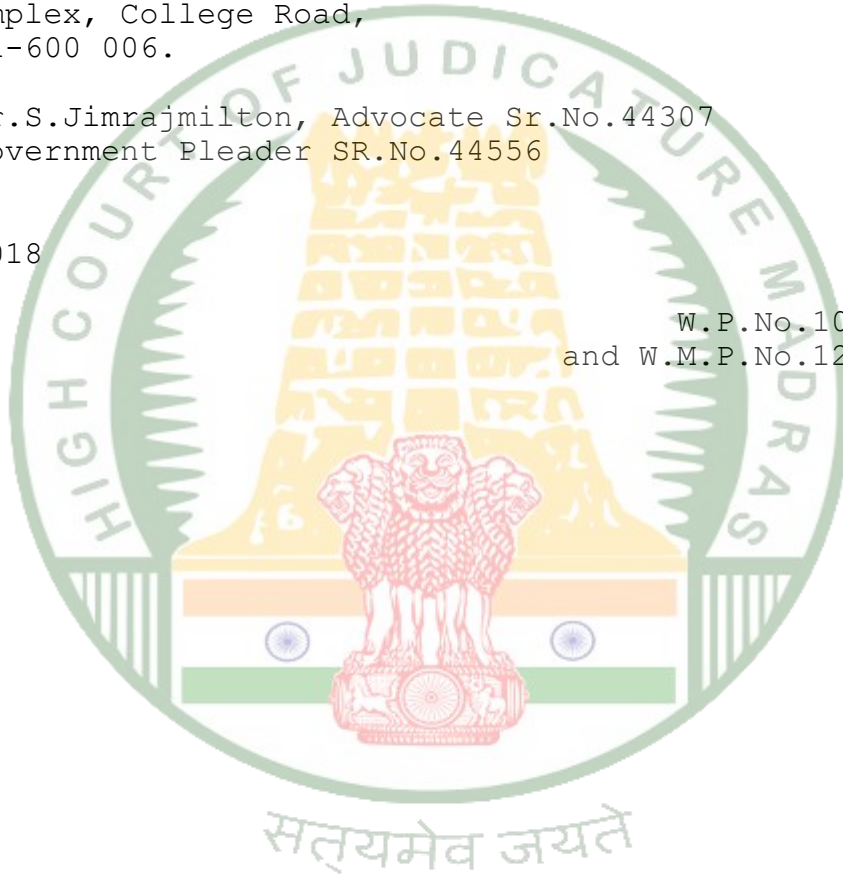
5.The Director, School Education
Directorate of School Education,
DPI Complex, College Road,
Chennai-600 006.

6.The Director, Elementary Education,
Directorate of Elementary Education,
DPI Complex, College Road,
Chennai-600 006.

+1cc to Mr.S.Jimrajmilton, Advocate Sr.No.44307
+1cc to Government Pleader SR.No.44556

CNR (CO)
sm:20.7.2018

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