



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 19.03.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN**  
**and**  
**THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

W.P (MD) No.5745 of 2018

Leela

.. Petitioner

Vs.

- 1.The Principal Secretary,  
School Education Department,  
Secretariat, St. George Fort,  
Chennai - 600 009.
- 2.The District Collector,  
Tirunelveli District,  
Tirunelveli.
- 3.The Thasildhar,  
Taluk Office,  
Kadayanallur Taluk,  
Tirunelveli District.
- 4.The Idaikal Village Panchayath,  
Represented by the Special Officer cum  
Block Development Officer,  
Block Development Office, Kadayanallur,  
Tirunelveli District.
- 5.The District Education Officer,  
District Education Office,  
Thenkasi,  
Tirunelveli.
- 6.The Chief Educational Officer,  
Chief Educational Office,  
Tirunelveli,  
Tirunelveli - 9.
- 7.The Headmaster,  
Government High School,  
Idaikal,  
Idaikal Post,  
Kadayanallur Taluk,  
Thirunelveli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 7 to take over the land with an extent of 20



cents situated in Survey No.201/9, Idaikal Village, Kadaiyanallur Taluk, Tirunelveli District and allot the same to the seventh respondent school for the purpose of school playground based on the petitioner's representation dated 14.02.2018 within the time prescribed by this Court.

WEB COPY

|                             |                                                        |
|-----------------------------|--------------------------------------------------------|
| For Petitioner              | : Mr.R.Karunanidhi                                     |
| For R-1 to R-3 & R-5 to R-7 | : Mr.A.K.Baskarapandian,<br>Special Government Pleader |
| For R-4                     | : Mr.D.Muruganantham                                   |

### ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

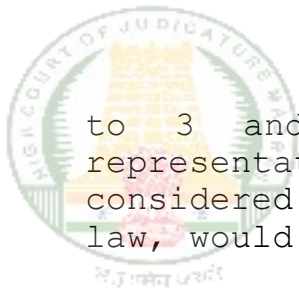
By consent, the main writ petition itself, is taken up for final disposal.

2. Mr.A.K.Baskarapandian, learned Special Government Pleader accepts notice on behalf of respondent Nos.1 to 3 and 5 to 7 and Mr.D.Muruganantham, learned Standing Counsel accepts notice on behalf of the fourth respondent.

3. This Writ Petition styled as a 'Public Interest Litigation', is filed by the petitioner, who is a resident of Idaikal Village, Kadayyanallur Taluk, Tirunelveli District and she would state that an Elementary School was established in the year 1950 in her village and she herself studied there and it is the specific case of the petitioner that in the said School, there is no playground available and therefore, the students studying in the said School used the land in Survey No.201/9 as a playground and it is classified as 'Government Village Natham Proamboke' in Government records and despite the very many representations submitted to utilise the said land as a playground for the said School, no steps have been taken so far and therefore, the petitioner is constrained to approach this Court by filing this Writ Petition.

4. The learned counsel appearing for the petitioner would submit that certain philanthropists had donated the said lands through Document Nos.795 of 2011 and 787 of 2011 dated 21.02.2011 and Document No.2711 of 2014 dated 18.07.2014.

5. The primordial submission made by the learned counsel appearing for the petitioner is that the availability of playground is a basic amenity to the school students to have excel in sports and though the Educational Authorities are insisting the private schools to have playground for the purpose of recognition, they have not established a playground for the students studying in Government Schools and therefore, prays for appropriate orders.



to 3 and 5 to 7, on instructions would submit that the representation submitted by the petitioner in this regard would be considered and appropriate orders, on merits and in accordance with law, would be passed, within a stipulated time.

7. This Court has carefully considered the submissions made on either side and perused the materials placed before it.

8. Though the petitioner prays for a larger relief, this Court, in the light of the aforesaid facts and circumstances of the case and without going into the merits of the claim projected by the petitioner either in this Writ Petition or in her representation, directs the respondents 2 to 6, to consider and dispose of the petitioner's representation dated 14.02.2018, on merits and in accordance with law and pass appropriate orders, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

9. The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Principal Secretary,  
School Education Department,  
Secretariat, Fort St. George, Chennai - 600 009.
  - 2.The District Collector,  
Tirunelveli District, Tirunelveli.
  - 3.The Thasildhar, Taluk Office, Kadayanallur Taluk,  
Tirunelveli District.
  - 4.The Special Officer cum  
Block Development Officer, Idaikal Village Panchayath,  
Block Development Office, Kadayanallur,  
Tirunelveli District.
  - 5.The District Education Officer,  
District Education Office, Thenkasi, Tirunelveli.
  - 6.The Chief Educational Officer,  
Chief Educational Office, Tirunelveli, Tirunelveli - 9.
  - 7.The Headmaster,  
Government High School, Idaikal, Idaikal Post,  
Kadayanallur Taluk, Tirunelveli District.
- +One cc to Mr.R.Karunanidhi, Advocate, SR.No.56108  
+One cc to The Special Government Pleader, SR.No.56534

pm

RL/10C/3P/KKR/SAR1/28/3/2018

<https://hcservices.ecourts.gov.in/hcservices/>

ORDER MADE IN

W.P(MD)No.5745 of 2018

19.03.2018