



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2018

CORAM:

WEB COPY

**THE HONOURABLE Mr. JUSTICE M.M.SUNDRESH**  
**and**  
**THE HONOURABLE Mr. JUSTICE N.SATHISH KUMAR**

W.P. (MD) No.20782 of 2017

S.Ponraj

... Petitioner

**Vs.**

- 1.The Secretary,  
Chief Secretary,  
St.George, Fort,  
Chennai.
- 2.The Secretary Educational Department,  
Chief Secretariat,  
St.George Fort,  
Chennai.
- 3.The Director of Elementary School Education,  
TBI Campus,  
College Road,  
Chennai 600 006.
- 4.The Joint Director of Law,  
Director of Elementary Educational Officer,  
College Road,  
Chennai 600 006.
- 5.The District Collector,  
District Collectorate Office,  
Thoothukudi 628 003.
- 6.The District Child Welfare Production Officer,  
Thoothukudi District,  
Thoothukudi.
- 7.The District Educational Officer,  
Thoothukudi District,  
Thoothukudi.
- 8.The District Elementary Educational Officer,  
Thoothukudi District, Thoothukudi.



9.The Thasildar,  
Thiruchendur Taluk,  
Thiruchendur,  
Thoothukudi District.

WEB COPY

10.The Fire Service Officer,  
Santhankulam Taluk,  
Santhankulam,  
Thoothukudi District.

11.The Health Inspector,  
Government Hospital,  
Thenthiruperai,  
Alwarthirunegari Union,  
Thoothukudi District.

12.S.Madhuram

13.The Inspector of Police,  
Nazareth Police Station,  
Nazareth,  
Thoothukudi District.

... Respondents

**PRAYER:** The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 11 to take appropriate action as against the 12th respondent school as per G.O.Ms.No.648 dated 03.08.1994 and G.O.Ms.No.375 dated 12.10.1998 mandatory rules contemplated under the rules regulated by the Government by considering the petitioner's representation dated 11.09.2017.

For Petitioner : Mr.P.M.Vishnuvarathan  
For Respondent : Mr.N.Shanmugaselvam, AGP.,  
for R1 to 11 and 13  
Mr.T.A.Ebenezer for R12

**ORDER**

**(Order of the Court was made by M.M.SUNDRESH,J.)**

This Public Interest Litigation has been filed by the petitioner seeking action against the respondent No.12 for non compliance of the mandatory requirement.

2.On a query, the learned counsel appearing for the petitioner has submitted that he is the resident of the locality where the school in question situated.



3.The learned counsel appearing for respondent No.12 submitted that the petitioner actually resides at Arumuganeri, which is 15 kms away from the school. This assertion has not been proved by the learned counsel for the petitioner.

4.We have surprised as to how the petitioner has got the said communication sent by the official respondent to respondent No.12. Therefore, we are of the view that it is not a public interest litigation. Accordingly, this Writ petition stands dismissed. No costs.

Sd/-  
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-II)

**To**

- 1.The Secretary,  
Chief Secretary,  
St.George, Fort,  
Chennai.
- 2.The Secretary Educational Department,  
Chief Secretariat,  
St.George Fort, Chennai.
- 3.The Director of Elementary School Education,  
TBI Campus, College Road,  
Chennai 600 006.
- 4.The Joint Director of Law,  
Director of Elementary Educational Officer,  
College Road, Chennai 600 006.
- 5.The District Collector,  
District Collectorate Office,  
Thoothukudi 628 003.
- 6.The District Child Welfare Production Officer,  
Thoothukudi District, Thoothukudi.
- 7.The District Educational Officer,  
Thoothukudi District, Thoothukudi.
- 8.The District Elementary Educational Officer,  
Thoothukudi District, Thoothukudi.



9.The Thasildar,  
Thiruchendur Taluk,  
Thiruchendur,  
Thoothukudi District.

WEB COPY

10.The Fire Service Officer,  
Santhankulam Taluk,  
Santhankulam,  
Thoothukudi District.

11.The Health Inspector,  
Government Hospital,  
Thenthiruperai,  
Alwarthirunegari Union,  
Thoothukudi District.

12.The Inspector of Police,  
Nazareth Police Station,  
Nazareth,  
Thoothukudi District.

+ 1 CC TO Mr.T.A.EBENEZER, ADVOCATE IN SR No. 82399  
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 83105

NBJ

TE/SKN/SAR-2 : 01/10/2018 : 4P/15C

W.P. (MD) No.20782 of 2017  
05.09.2018