

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4.1.2019

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE Dr.JUSTICE ANITA SUMANTH

W.P.No.28379 of 2018

M.Appavu

... Petitioner

Versus

1 The Secretary to Govt
School Education Department
Fort St. George
Chennai- 9

2 The Director of School Education
College Road Chennai- 600006

3 The Director
State Council for Education,
Research and Training
Chennai-600 006.
(R3-suo motu impleaded vide order
of the court dated 9.11.2018)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider the representation of the Petitioner dated 15.09.2018 seeking to introduce Spoken English as a subject and Mazhalayar Classes (LKG and UKG) in all Government Aided and Unaided Schools in Tamil Nadu and pass orders within a reasonable time as may be stipulated by this Court.

For petitioner : Mr.A.E.Ravichandran

For Respondents : Mr.C.Munusamy,
Special Government Pleader

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, J.)

The petitioner, M.Appavu, an Ex-M.L.A. has filed this writ petition as PIL writ petition seeking to introduce Spoken

Language as a subject and Mazhalayar Classes (LKG and UKG) in all Government, Aided and Unaided Schools in Tamil Nadu.

2. The petitioner claims to have made a representation in this regard to the Principal Secretary to Government, School Education Department, Chennai on 15.9.2018. The prayer made in the said representation dated 15.9.2018 is quoted below:-

"It is therefore requested that the imparting of education through English Medium Standards/Classes in Government and Government-aided Schools may be stopped immediately and with a view to facilitate all the students to get trained in spoken English, the current syllabus of English language may suitably be changed, i.e., instead of awarding 100 marks for the English language subject, 50% marks may be given and the balance 50% marks for the Spoken English, and to change the English subject syllabus accordingly."

3. Upon issuance of notice the learned Special Government Pleader has, today, produced before us a copy of the Government Order in G.O.(Ms) No.89, Social Welfare and Nutritious Meal Programme (SW-7(1) Department Notification dated 11.8.2018 and submitted that the Government has decided to introduce Montessori Education based LKG/UKG Classes in Anganwadi Centres that are functioning in the premises of the Middle Schools. The learned Special Government Pleader, therefore, submitted that the prayer made in the writ petition stands partly granted and the tenor of the writ petition and the prayer in the representation differ.

4. Having heard the learned counsel for the parties and upon perusing the materials placed before us, we are of the opinion that it is a matter of State Education Policy and the Courts, in exercise of their jurisdiction under Article 226 of the Constitution of India, cannot lay down any guidelines or terms in this regard. However, we are of the opinion that the Secretary to Government concerned, to whom the petitioner has made a representation in this regard, can decide the representation, after giving an opportunity of hearing to the petitioner.

5. Accordingly, we dispose of the writ petition by directing the respondent Principal Secretary to Government, School Education Department, Chennai to decide the representation dated

15.9.2018 made by the petitioner, after providing a suitable opportunity of hearing to the petitioner. The said representation may be decided preferably within three months from today. No order as to costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 The Secretary to Govt
School Education Department
Fort St. George
Chennai- 9
- 2 The Director of School Education
College Road Chennai- 600006
- 3 The Director
State Council for Education,
Research and Training
Chennai-600 006.

+1 cc to Mr.A.E.Ravichandran, Advocate Sr.No.797

+1 cc to The Government Pleader, Sr.No.1423

W.P.No.28379 of 2018

NM(CO)
CSL/05.02.2019

सत्यमेव जयते

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