

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.No. 13453 of 2020
and
W.M.P.No. 16619 of 2020

A.S.Sathyalakshmi

...Petitioner

Vs.

- 1.The Principal,
Kendriya Vidyalaya Sangathan,
Annanagar, Chennai - 40.
 - 2.The Under Secretary,
Union of India, Lal Bahadur Sastri Smriti,
Maulana Azad Road, Bal Bhawan,
Man Singh Road Area, New Delhi - 110001.
 - 3.The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area, Shaheed Jeet Singh Marg,
New Delhi - 110016.
- ...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, directing the respondents to dispose the representation of the petitioner made on 27.07.2020.

For Petitioner : Mr.V.Nandagopalan

For Respondents : Mr.M.Vaidyanathan

Standing Counsel for R1 & R3

R2 - No Appearance

O R D E R

This writ petition is filed for a mandamus to direct the respondents to dispose of the representation of the petitioner dated 27.07.2020.

2. The petitioner vide the representation dated 27.07.2020 made a request to the first respondent / the Principal, Kendriya Vidyalaya Sangathan, Anna Nagar, Chennai to provide admission to her only female child but the same was not

considered and therefore, she approached by way of this writ petition.

3. Mr.V.Nandagopalan, learned counsel appearing for the petitioner submits that the petitioner and her husband both are physically challenged and they are having a girl child and during the Covid-19 situation, they have lost their livelihood and found very difficult to meet out the educational expenses for her only girl child. As per the guidelines for admission in Kendriya Vidyalaya, the single child child is also considered as one of the factor for admission in Kendriya Vidyalaya Institutions and the petitioner is having only one girl child but the petitioner's representation has not been considered.

4. Mr.M.Vaidyanathan, learned counsel appearing for the first respondent would submit that the admission process in the Kendriya Vidyalaya are undertaken only through online applications and the petitioner has not made any application online for the admission. According to him, there is no provision to receive application offline for the admission. The representation of the petitioner dated 27.07.2020 was also according to him was disposed of. He would further submit that the first respondent received around 2,367 applications for admission in 1st Standard and among them 401 candidates registered for admission under single girl quota to 1st standard. Therefore, by a centralized processing system the students for admission were selected by randomization on 11.08.2020. According to the him, the admission process is over and among the candidates who have applied under the single girl quota could not get admission under the aforesaid quota.

5. Mr.M.Vaidyanathan, learned counsel for the petitioner has also pointed out the priorities in admissions as per the guidelines for admission in Kendriya Vidyalaya, which reads as follows:-

"(A) Kendriya Vidyalayas under Civil / Defence Sector:

1. Children of transferable and non-transferable Central government employees and children of ex-servicemen. This will also include children of Foreign National Officials, who come on deputation or transfer to India on invitation by Government of India.

2. Government of India.

3. Children of transferable and non-transferable State Government employees.

4. Children of transferable and non-transferable employees of Autonomous Bodies/Public Sector Undertakings/Institute of Higher Learning of the State Governments.

5. Children from any other category including the children of Foreign Nationals who are located in

India due to their work or for any personal reasons. The children of Foreign Nationals would be considered only in case there are no Children of Indian Nationals wait listed for admission.

Note: Preference in Admission to wards will be based on the number of transfers of the parents in the last 7 years."

6. This Court paid its anxious considerations to the rival submissions made by both the counsels. The case of the petitioner is that both the petitioner and her husband are physically challenged and they are having only one female child and in view of the physical condition and also due to the pandemic, they found very difficult to meet their livelihood and however, their only ambition is to provide a good education to their only female girl child.

7. Considering the plight of the petitioner, this writ petition is disposed of with a direction to the petitioner to apply through online to the first respondent / School to the next academic year and the first respondent is directed to consider the application sympathetically, if there is any available vacancies in the first respondent school.

8. With the above observations, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1.The Principal,
Kendriya Vidyalaya Sangathan,
Annanagar,
Chennai - 40.

2.The Under Secretary,
Union of India, Lal Bahadur Sastri Smriti,
Maulana Azad Road, Bal Bhawan,
Man Singh Road Area,
New Delhi - 110001.

3.The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi - 110016.

+1cc to Mr.Vaidyanathan, Advocate, S.R.No. 8959
+2cc to Mr.V.Nandagopalan, Advocate, S.R.No. 9063

W.P.No. 13453 of 2020
and
W.M.P.No. 16619 of 2020

SV(CO)
GN(16/03/2021)



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