



W.P.No.15844 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.P.No.15844 of 2023

M.Purushothaman

.. Petitioner

Vs.

1. The Secretary to the Government of India
Ministry of Education
Department of School Education & Literacy
Sastri Bhavan, New Delhi.
2. The National Council for Educational Research
and Training (NCERT)
Represented by its Director
Sri Aurobindo Marg, New Delhi.
3. The Central Board of Secondary Education
Represented by its Secretary
Siksha Kendra
No.2, Community Centre
Preet Vihar, New Delhi 110 092.
4. The Secretary
Government of Tamil Nadu
Department of Collegiate Education
St. George Fort, Chennai.



W.P.No.15844 of 2023

WEB COPY

5. The Secretary
Government of Tamil Nadu
Department of School Education
St. George Fort, Chennai.
6. The Director of School Education
Directorate of School Education
DPI Complex, College Road
Nungambakkam, Chennai – 600 006.
7. State Council of Educational Research
and Training
Tamil Nadu, DPI Complex, College Road
Nungambakkam, Chennai – 600 006. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to consider the representation made by the petitioner dated 23.03.2023, wherein the petitioner had made a detailed suggestion for making it mandatory for all public as well as non-governmental schools/colleges to build housing quarters and provide rent-free accommodation for their teachers and non-teaching employees and to provide supporting grants to Government and Public Schools for construction of rent-free housing quarters in every school campus and allot public lands for the construction of teachers quarters and provide subsidy to teachers to buy houses on liberal terms and direct the Banks and Financial Institutions to provide interest-free housing loans to teachers.



W.P.No.15844 of 2023

WEB COPY

For the Petitioner : Mr.M.Purushothaman
Party-in-Person

For the Respondents : Mr.K.Srinivasamurthy
Senior Panel Central Govt.
Standing Counsel
for R1

Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for R4 to R7

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.M.Purushothaman, party-in-person,
Mr.K.Srinivasamurthy, learned Senior Panel Central Government
Standing Counsel for the first respondent and Mr.P.Muthukumar,
learned State Government Pleader assisted by Mrs.R.Anitha, learned
Special Government Pleader for the respondents 4 to 7.

2. The petitioner, party-in-person, submits that he has filed this writ petition with a laudable object, i.e., the respondents may be directed to consider the representation of the petitioner, wherein, the petitioner seeks directions to make it mandatory for all the public as



W.P.No.15844 of 2023

WEB COPY

well as non-Government Schools/Colleges to build housing quarters and provide rent-free accommodation for their teachers and non-teaching employees and provide supporting grants to Government and Public Schools for construction of rent-free housing quarters in every school campus and allot public lands for the construction of teachers quarters and provide subsidy to teachers to buy houses on liberal terms and direct the Banks and Financial Institutions to provide interest-free housing loans to teachers and pass such further orders.

3. The party-in-person submits that the service conditions of the teachers of the private Schools and Colleges are pathetic. An affidavit is filed by the Schools, while seeking permission from the CBSE and other Boards, that they will provide for all the required infrastructures before starting classes. Infrastructure would include quarters for the teachers. One of the clauses in the affidavit is that, saving if any, after meeting the recurring and non-recurring expenditure and contribution to the developmental, depreciation and contingency fund, it will be further utilized for promoting the School and extending the cause of education in the same School only.



W.P.No.15844 of 2023

WEB COPY

guidelines mandate providing of accommodation to the members of the teaching and non-teaching staff of the Schools and Colleges, it would not be possible to issue any direction in that regard.

7. As far as the contention of the party-in-person that the Schools are diverting the surplus funds so as to make further profits, party-in-person may make a complaint with the competent authorities and it is for the competent authorities to take action, as may be permissible under law and in accordance with law.

8. With the aforesaid observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.15295 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

16.06.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl/drm



W.P.No.15844 of 2023

WEB COPY

To

1. The Secretary to the Government of India
Ministry of Education
Department of School Education & Literacy
Sastri Bhavan, New Delhi.
2. The Director
The National Council for Educational Research
and Training (NCERT)
Sri Aurobindo Marg, New Delhi.
3. The Secretary
The Central Board of Secondary Education
Siksha Kendra
No.2, Community Centre
Preet Vihar, New Delhi 110 092.
4. The Secretary
Government of Tamil Nadu
Department of Collegiate Education
St. George Fort, Chennai.
5. The Secretary
Government of Tamil Nadu
Department of School Education
St. George Fort, Chennai.
6. The Director of School Education
Directorate of School Education
DPI Complex, College Road
Nungambakkam, Chennai – 600 006.
7. State Council of Educational Research
and Training
Tamil Nadu, DPI Complex, College Road



W.P.No.15844 of 2023

WEB COPY Nungambakkam, Chennai – 600 006.



WEB COPY



W.P.No.15844 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(kpl/drm)

W.P.No.15844 of 2023

16.06.2023