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W.P.Nos.36437, 35125 and 35128 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2023

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.Nos.36437, 35125 and 35128 of 2023

And

W.M.P.Nos.36447, 35104 and 35110 of 2023

Thirunangai Press LLP
Represented by Grace Banu
D No.8/7, Sandeep Nagar,
Manthithopu,
Kovilpatti,
Tuticorin

... Petitioner in W.P.36437/2023

Pradeep
Publisher, M/s.Ezhuchchi Pathipagam,
182, Karattan Kadu,
Lakkapuram,
Erode – 638 002.

... Petitioner in W.P.35125/2023

K.Senthamizhselvi
Publisher, M/s.Voice of Buddha,
11/5, Vadivelu Main Street,
Perambur,
Chennai – 600 011.

... Petitioner in W.P.35128/2023

Vs.

1.The Principal Secretary to Government,
Department of School Education,
Secretariat,
Chennai – 600 009.

2.The Director,
Directorate of Public Libraries,
Chennai – 600 009.

1/8



W.P.Nos.36437, 35125 and 35128 of 2023

3.The Principal Secretary to Government,
Social Welfare Department,
Secretariat,
Chennai – 600 009.

4.The Book Sellers & Publishers Association of South India
(BAPASI),
8, Second Floor,
Sun Plaza, G.N.Chetty Road,
Chennai – 600 006. ... Respondents in W.P.36437/2023

1.The Principal Secretary to Government,
Department of School Education,
Secretariat,
Chennai – 600 009.

2.The Director,
Directorate of Public Libraries,
Chennai – 600 009.

3.The Principal Secretary to Government,
Department of Finance,
Secretariat,
Chennai – 600 009.

4.The Booksellers And Publishers Association of South India
(BAPASI),
No.8, II Floor,
Sun Plaza, 19, G.N.Chetty Road,
Chennai – 600 006.

(R4 - Suo Motu impleaded as per
order dated 21.12.2023 in
W.P.35125/2023 by ASMJ) ... Respondents in W.P.35125/2023

1.The Principal Secretary to Government,
Department of School Education,
Secretariat,
Chennai – 600 009.



W.P.Nos.36437, 35125 and 35128 of 2023

2.The Director,
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Chennai – 600 009.

3.The Principal Secretary to Government,
Department of Finance,
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Chennai – 600 009.

4.The Booksellers And Publishers Association of South India
(BAPASI),
No.8, II Floor,
Sun Plaza, 19, G.N.Chetty Road,
Chennai – 600 006.

(R4 - Suo Motu impleaded as per
order dated 21.12.2023 in
W.P.35128/2023 by ASMJ) ... Respondents in W.P.35128/2023

Prayer in W.P.No.36437 of 2023:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to accept petitioner's application as a Transgender Scheduled Caste Book Publisher and allot two stalls (18 feet) at the same rate fixed for the 'permanent members' of BAPASI in all the upcoming Annual Chennai Book Fair and refund the excess amount paid by the petitioner, and direct the first respondent to implement G.O.(Ms) No.130 dated 25.07.2023 issued by School Education Department (Pub.Lib.2), in its true spirit, and consequently conduct the Annual Chennai Book Fair routinely held at YMCA Ground by giving enough representation to publishers and book sellers who are Transgender persons and those belongs to Scheduled Castes and Scheduled Tribes in order to implement the policy of inclusiveness and social justice.



W.P.Nos.36437, 35125 and 35128 of 2023

Prayer in W.P.No.35125 of 2023:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 06.11.2023 by directing the first respondent to implement in the upcoming years the G.O.(Ms) No.130 dated 25.07.2023 issued by School Education Department (Pub.Lib.2), in its true spirit, and conduct the Annual Chennai Book Fair routinely held at YMCA Ground, and, consequently direct the first respondent to implement the direction of Hon'ble Tamil Nadu State Commission for Scheduled Castes and Scheduled Tribes vide its Press Release No.16/2022; dated 13.12.2022 to ensure the publishers and booksellers belonging to Scheduled Castes and Scheduled Tribes to inclusively participate in the Chennai Book Fair and to ensure enough representation for them in the Government's Permanent Book Park initiative and the Government's Book Fair Organizing Committee (ஒருங்கிணைப்புக் குழு) which is specifically responsible for Chennai and the remaining Districts of Tamil Nadu as well.

Prayer in W.P.No.35128 of 2023:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 06.11.2023 and 22.11.2023 by directing the first respondent to implement in the upcoming years the G.O.(Ms) No.130 dated 25.07.2023 issued by School Education Department (Pub.Lib.2), in its true spirit, and conduct the Annual Chennai Book Fair routinely held at YMCA Ground, and, consequently direct the first respondent to implement the direction of Hon'ble Tamil



W.P.Nos.36437, 35125 and 35128 of 2023

Nadu State Commission for Scheduled Castes and Scheduled Tribes vide its Press Release No.16/2022; dated 13.12.2022 to ensure the publishers and booksellers belonging to Scheduled Castes and Scheduled Tribes to inclusively participate in the Chennai Book Fair and to ensure enough representation for them in the Government's Permanent Book Park initiative and the Government's Book Fair Organizing Committee (ஒருங்கிணைப்புக் குழு) which is specifically responsible for Chennai and the remaining Districts of Tamil Nadu as well.

For Petitioners : Mr.C.Prabhu
For Respondents : Mr.M.Rajendran for R1 to R3
Additional Government Pleader
Mr.J.Ramesh for R4

COMMON ORDER

In all these writ petitions, the grievance of the petitioners is that the fourth respondent i.e., The Booksellers And Publishers Association of South India is not allocating shops to the writ petitioners.

2.Mr.J.Ramesh, learned counsel appearing for the fourth respondent submits that BAPASI has informed the second respondent i.e., The Director, Directorate of Public Libraries, that shops have been allotted to all the three writ petitioners. The positioning of the shops is decided by way of lucky dip which is to be conducted tomorrow



W.P.Nos.36437, 35125 and 35128 of 2023

namely, 29.12.2023. He states that all the three petitioners can participate in the lucky dip to select the position of their shops in the book fair.

3.Recording the same, these writ petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

28.12.2023

pri/mst

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Principal Secretary to Government,
Department of School Education,
Secretariat,
Chennai – 600 009.
- 2.The Director,
Directorate of Public Libraries,
Chennai – 600 009.
- 3.The Principal Secretary to Government,
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W.P.Nos.36437, 35125 and 35128 of 2023

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V.LAKSHMINARAYANAN,J.
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28.12.2023