



W.P(MD)No.11363 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:04.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
AND**

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.11363 of 2023

and

W.M.P.(MD)No.9875 of 2023

S.Periyaraja

... Petitioner

Vs.

- 1.The Principal Secretary,
Government of Tamil Nadu
(School Education),
Secretariat,
St. George Fort,
Chennai.
- 2.The Director,
School Education (Matriculation Schools),
O/o. The Directorate School Education
(Matriculation Schools),
DPI Complex, College Road,
Chennai – 600 006.
- 3.The Joint Director,
School Education (Matriculation Schools),
O/o. The Directorate School Education
(Matriculation Schools),
DPI Complex, College Road,
Chennai – 600 006.



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4.The District Collector,
Tirunelveli,
Tirunelveli District.

5.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

6.The District Educational Officer,
(Matriculation Schools),
Palayamkottai,
Tirunelveli District.

7.The Correspondent,
Jose Matriculation Higher Secondary School,
Pothigai Nagar,
N.G.O.A. Colony,
Tirunelveli – 627 007.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus directing the respondents 1 to 6 to institute appropriate legal actions against the above named 7th respondent for compelling students of classes 10th and 12th for the academic year 2023-2024 to attend the special classes throughout the month of May 2023 in their school premises physically on the basis of the petitioner's representations dated 28.04.2023 and 02.05.2023.

For Petitioner : Mr.B.N.Raja Mohamed

For R-1 to R-6 : Mr.K.S.Selvaganesan,
Additional Government Pleader



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ORDER

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

This Writ Petition has been filed for a direction to the respondents 1 to 6, to institute appropriate legal actions against the seventh respondent for compelling the 10th and 12th standard students to attend the special classes in their school premises physically throughout the month of May 2023 for the academic year 2023-2023 on the basis of the petitioner's representations dated 28.04.2023 and 02.05.2023.

2. The petitioner claims that he is a practising lawyer in Tirunelveli District and he enrolled in the year 2015. He filed this Public Interest Litigation on the ground that the seventh respondent school is conducting special classes for 10th and 12th standard students during the month of May 2023.

3. The learned counsel for the petitioner would submit that seventh respondent school is unethically conducting classes for 10th and 12th standard students during May, 2023. He would further submit that the vacation is meant only for enjoyment of the school students along with their parents and for stress



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relief. Nowadays, advance technologies are available for conducting on-line classes. However, in the seventh respondent school, the students are forced to come to the school premises for attending special classes and to pay fees also. If the same is allowed to continue, the students cannot be able to maintain their mental stability and hence, prays for allowing of this Writ Petition.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents.

5. The petitioner claims that he is a public spirited person and he filed this Public Interest Litigation on the ground that the seventh respondent school forced the students, who are studying in 10th and 12th standard in their school, for attending special classes during the month of May 2023. We are aware that the special classes are being conducted in respect of 10th and 12th standard with the consent of the parents. It is the parents have to decide whether their children have to attend the special classes or not. The petitioner being an advocate is not an aggrieved person by the conduct of special classes by the seventh respondent school. Further, there are several schools conducting special classes all over the Tamil Nadu. However, the petitioner has filed this writ petition only targeting the seventh respondent school. Therefore, it is clear



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that it is not a Public Interest Litigation. Furthermore, several coaching classes are being conducted for the 12th standard students to train them to write the competitive examinations like NEET, JEE, CLAT etc. Hence, the present writ petition is a motivated one. In view of the above, we are satisfied that this writ petition deserves to be dismissed with costs.

6. Accordingly, this Writ Petition is dismissed with costs of Rs.25,000/-(Rupees Twenty Five Thousand Only), payable to the Corporation Girls Higher Secondary School, Meenakshipuram, Tirunelveli, within a period of two weeks from the date of receipt of a copy of this order. The said amount shall be used either for construction of a Toilet or for purchasing a Napkin Vending Machine. No Costs. Consequently, connected miscellaneous petition is closed.

(M.D.I., J.)

(R.V., J.)

04.05.2023

NCC:Yes/No
Index: Yes/No
Internet: Yes/No
pm/vsm



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