



W.P(MD)No.13581 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.13581 of 2023 and
WMP(MD) No.11456 of 2023

Ravi Maddula

Petitioner

Vs

- 1.The Secretary,
Department of School Education & Literacy,
124 C, Shastri Bhawan,
New Delhi – 110 001.
- 2.The Commissioner,
Kendriya Vidhalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
Katearia Sarai,
New Delhi – 110 016.
- 3.The Deputy Commissioner,
The Kendriya Vidyalaya Sangathan,
Regional office, IIT Campus,
Chennai – 600 036.
- 4.The Assistant Commissioner,
The Kendriya Vidyalaya Sangathan,
Regional office, IIT Campus,



W.P(MD)No.13581 of 2023

WEB COPY

Chennai – 600 036.

5.The Principal,
Kendriya Vidyalaya,
Gandhinagar,
Dindigul District.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direction to the respondents to admit the petitioner's son at Kendriya Vidyalaya, Gandhinagar, Dindigul District in Class I, within the period that may be stipulated by this Court.

For Petitioner	:Mr.Ajmal Khan Senior Counsel for M/s.Ajmal Associates
For R1	:No appearance
For R2 to R5	:Mr.E.T.Rajendran Standing Counsel

ORDER

The petitioner, who is working as a Project Employee under Rashtriya Uchchatar Shiksha Abhiyan (RUSA), which is a centrally sponsored scheme has applied through online for his son's admission for Class I in Kendriya Vidyalaya, Gandhinagar, Dindigul District, under the category that he is working under a Scheme of



W.P(MD)No.13581 of 2023

WEB COPY

Central Government. According to the petitioner, he being a project employee, holding a transferable post under the Central Government sponsored Scheme and as a research fellow doing Ph.D in Alagappa University, which is a State Government Autonomous Institute, the petitioner's son is eligible for admission in Kendriya Vidhalaya. The petitioner has submitted a representation to the respondents 4 & 5 on 24.05.2023 and filed this writ petition for a Mandamus, to direct the respondents to admit the petitioner's son in Kendriya Vidhalaya School, Gandhinagar, Dindigul.

2.The learned counsel appearing for the petitioner by relying upon the category A2 submits that the petitioner is working under the Public Sector undertaking, namely, RUSA and therefore, he is eligible for consideration under the clause 2 of 3 A of the prospectus.

3.Mr.E.T.Rajendran, learned Standing Counsel who takes notice for the respondents 2 to 5 submits that this petitioner



W.P(MD)No.13581 of 2023

WEB COPY

has sought for an admission for his child in Kendriya Vidyalaya, Gandhinagar, Dindigul District, under Civil Defence Sector and has also referred the guidelines for admission and the same is extracted as under:-

3.PRIORITIES IN ADMISSION

The following priorities shall be followed in granting admissions:-

(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.Children of transferable and non-transferable employees of Autonomous Bodies / Public Sector Undertaking/Institute of Higher Learning of the Government of India.

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



WEB COPY



W.P(MD)No.13581 of 2023

4.Children of transferable and non-transferable employees of Autonomous Bodies/Public Section 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 waitlisted for admission.

4.He further submits that as per the above guidelines, the petitioner's child is not entitled for admission in Kendriya Vidyalaya.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner has submitted an application, seeking admission for his son at Kendriya Vidhalaya, Gandhinagar, Dindigul



W.P(MD)No.13581 of 2023

under the category that he is working as a Project Employee under Rashtriya Uchchatar Shiksha Abhiyan (RUSA), which is a centrally sponsored scheme. On perusal of the proceedings in Alu/RUSA/Project Fellow/2023, dated 02.02.2023 reveals that the petitioner was engaged in the theme Based Research Project in the Department for a period of one year and this project comes to an end in the year 2026. Therefore, the petitioner cannot be termed that he is working in the public Sector undertaking and eligible for admission of his child in Kendriya Vidhalaya, under clause 2 of 3A of the Prospectus.

7. In view of the above, this writ petition is dismissed.

No costs. Consequently, connected Miscellaneous petition is closed.

31.07.2023

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

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W.P(MD)No.13581 of 2023

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WEB COPY



W.P(MD)No.13581 of 2023

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